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FIRST THINGS

the real reason for religious freedom
JOHN H. GARVEY

ukraine: christians in conflict
JOSEPH R. GREGORY

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MARC GELLMAN

derrida, death & forgiveness
ANDREW J. McKENNA

homosexuality and truth
ELIZABETH MOBERLY

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James Nuechterlein on New York City · Russell Hittinger on Assisted Suicide
Wendy D. Shalit on A Tale of Three Pregnancies · Paul J. Griffiths
Joshua Glenn · Stephen M. Barr · Leonard R. Klein

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Richard John Neuhaus
The Public Square
A Continuing Survey of Religion and Public Life

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Managing Editor: *Matthew Berke*
Associate Editor: *J. Bottum*
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The Hubris of Abortion

Though I found Judge Robert Bork's arguments on abortion in "Inconvenient Lives" (December 1996) mostly persuasive, I wondered at his lack of reference to God. The omission is especially glaring when he asks what characteristic entitles one to sufficient moral respect to be allowed to go on living. The odd response is, "It must lie in the fact that you are alive with the prospect of years of life ahead." This sounds like an affirmation of life for life's sake. Yet without reference to a creator, there is no basis for such an assertion. The Second Vatican Council puts it this way, "Without a creator there can be no creature. . . . Once God is forgotten, the creature is lost sight of as well" (*Gaudium et Spes*, 36).

Arguments that begin by positing life itself as an absolute tend to end in quality of life considerations. Judge Bork finds the decision to abort when severe deformities are involved morally ambiguous. Is it because those children often do not have "the prospect of years of life ahead"? I faced the possibility (though not the reality) of having a so-called deformed child. The experience only served to make me less understanding of the decision to abort. God had given me this child to care for; to kill it would have been, under any circumstances, an unfathomable evil. Dietrich Bonhoeffer summed up the problem with all abortions when he said, "In the sight of God there is no life that is not worth living."

In the end, abortion is not an act of desperation, but one of hubris. It is an attempt to wrest control of our destiny away from God. According to pro-abortion ideology, conception is a human deed. Consequently, Rosemary Radford Ruether can say in her prayer for the rite of healing from abortion, "We want to create life that is chosen, wanted, and can be sustained and nourished" (*Woman-Church*). We women maketh and can, therefore, taketh. It is hardly surprising that Judge Bork has discovered that "many who favor the abortion right understand that humans are being killed." One cannot argue against those who would be God.

Clearly, the radical individualism that Judge Bork rightly decries cannot be fought on its own terms. To adopt the pro-choice "rights" rhetoric is self-defeating because, in this society, the "rights" of those who have a voice will always triumph over those who do not. Instead, we need to use a vocabulary and ethic which speak of God's intention to create and redeem human life. Those of us who wish to uphold the sanctity of all human life cannot do so without reference to the One who transcends and gives our lives meaning. This is our only weapon against the "nihilism that is spreading in our culture and finds killing for convenience acceptable."

(The Rev.) Jennifer Mehl Ferrara
Fleetwood, PA

Jesus and Judaism

Richard John Neuhaus' comments on "Jews for Jesus, Established A.D. 32" and the Southern Baptist resolution on Jewish evangelism (December 1996) bring welcome theological light and balance to this discussion. The first major controversy in the Church was over the question whether the gospel was for anyone *other than* the Jews, and whether a Gentile had to become a Jew in order to be a Christian. These issues were resolved largely at the first council of the Church in Jerusalem (as reported in Acts 15), where it was decided that Jesus came *not only* for Jews, but for everyone, and that Gentiles did not need to be circumcised in order to belong to the Church. It is ironic that today the controversy is whether Jews are to be included in the Christian mission, and whether a Jew has to become a Gentile in order to be a Christian.

As a United Methodist minister I must say that the Southern Baptist resolution is moderate in tone and absolutely biblical. But one well-known Jewish spokesman responded to the resolution in a newspaper column with an argument that I find troubling. He said that since Jews and Southern Baptists had engaged in theological dialogue over several

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years, he thought this meant that Southern Baptists would give up any attempt to evangelize Jews, and therefore the resolution was a negation of all their dialogue. I do not know what was said in those dialogues, but I know a little bit about Southern Baptists, and I also know that genuine interfaith dialogue does not require compromise of theological principles. Dialogue does not displace mission and it was a misuse of the dialogue if this was the motive of Jewish participants.

As one who has devoted considerable effort to Jewish-Christian dialogue for the last twenty years, I increasingly believe it is artificial and dishonest if Jews who believe that Jesus is the Messiah are excluded from the dialogue—as they usually are. Their testimony and experience have to be taken into account. To exclude them is to engage in theological denial and contempt. Without them our Jewish-Christian dialogue lacks credibility.

Gerald H. Anderson
Hamden, CT

While I certainly do not dispute the right of Christians to witness to Jews, Jews for Jesus and other such groups use deceptive tactics and make claims that violate the dignity of Judaism. You cannot wrap yourself in contemporary Judaism, much of which is a reflection of the efforts of the Talmudic Rabbis who consciously rejected Christianity, and claim you believe in Jesus. Either reject outright all rabbinic laws and practices or become a member of the Church. The Jews for Jesus want it both ways; deceptive tactics which cover Christian belief under the guise of Judaism.

Father Neuhaus is correct that Christians should not have to give up their hopes and beliefs before committing to dialogue. I will not give up mine. All I ask is honesty and integrity. The fundamentalists who support Jews for Jesus and other "messianic" groups have neither honesty or integrity.

(Rabbi) Michael Balinsky
Evanston, IL

The Southern Baptist Convention's resolution was a needed corrective to the inclusivistic positions and rhetoric of much of conciliar Christianity's position regarding Jewish evangelism. It was also the latest of a series of resolutions in the history of the SBC encouraging the sharing of the gospel with the sons and daughters of Abraham.

Why has this been the case? Because the SBC is pro-Jewish. In fact, if we believe the gospel, the most anti-Semitic action we could take would be to decide not to evangelize the Jews. The SBC passed resolutions against anti-Semitism in both 1972 and 1981, placing Southern Baptists squarely in the camp of dignifying Jewish identity.

Evangelism for us is simply to state that we believe that Jesus Christ of Nazareth is Messiah and Savior for Jew and Gentile alike and to leave the results of faith to God alone. Coercive and repressive acts against a person's moral and religious conscience violate the essence of the true biblical witness. Tens of thousands of our spiritual forefathers, the Anabaptists, were slaughtered in the sixteenth century because of their refusal to conform to state churches. We are not about to repress and force others into a false and manipulated uniformity.

Simultaneously, it is our conviction that we must be busy about the task of sharing the gospel "beginning in Jerusalem"—this is the same gospel which is the power of God unto salvation to the Jew first and also to the Greek. To be disobedient to this assignment would be spiritual high treason committed against the King of Kings and Lord of Lords.

R. Philip Roberts, Director
Interfaith Witness Department
Home Mission Board
Alpharetta, GA

As the Executive Director of the largest Jewish mission agency, I am heartened that the Southern Baptist Church, the largest Protestant denomination, has taken such a courageous stand for the evangelization of Jewish people. What Jewish community leaders are calling a "great setback" in Jewish-Christian

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relations is really a great leap forward in crystallizing the issue that Jesus is the Messiah for everyone, including Jews.

It is refreshing to see that some in the dialogue movement are willing to acknowledge Jewish believers in Jesus as the missing partner. For a long time, we have sought a seat at the table without having to disguise our convictions or deny our heritage. Thank you for reminding us that genuine pluralism should indeed provide a forum for Jews for Jesus as well as other minority groups among the communities of faith.

David Brickner
Jews for Jesus
San Francisco, CA

Not So Intriguing

In "Editor's Notes," his amusing essay in the December 1996 issue, James Nuechterlein writes that "all editors have idiosyncratic preferences and antipathies," and cites as an example my dislike of the word *intrigue*. True, I do dislike the use of that word outside the realms of spying and diplomacy. I believe, though, that my dislike for the word is evidence of more than a mild touch of insanity on my part. It is a dislike I have in common with H. W. Fowler, who thought the word an empty gallicism. Fowler felt that the line-up of words already available in English—among them *puzzle, perplex, fascinate, mystify, interest,* and *pique*—were much better choices, and so do I. They also happen to be more precise words than the wobbly *intrigue*. The other problem with *intrigue* is that the people who use it tend to think themselves *intriguing*, in their own misguided use of the word—alas, they are wrong. Quite the reverse is too often the case, I fear.

Joseph Epstein
Evanston, IL

In Defense of Cranmer

Richard John Neuhaus' comments on Thomas Cranmer in his discussion of Diarmaid MacCulloch's biography are disappointing ("The Taming of the Church," November 1996). After acknowledging that all efforts in "ordering of realms spiritual and temporal" have been gravely flawed, he forgets what he has acknowledged and denigrates Cranmer as a "lackey of royal power." Father Neuhaus thus panders to the anachronistic contemporary assumptions of church/state relations.

By this logic, is Thomas More a "lackey of royal power" as Henry VIII's chancellor in helping to hunt down and have executed William Tyndale and others for translating the Bible? Fr. Neuhaus overlooks the fact that Cranmer was burned and Roman Catholicism set up officially again in England by the royal power of Queen Mary. Was Cardinal Pole thereby the "lackey of royal power"? Saul, David, Jeroboam, Manasseh, Solomon, and Ahab were all duly constituted royal powers. The Niceno-Constantinopolitan Creed (which Fr. Neuhaus so creditably affirms) was proclaimed by royal power. The orthodox Dante and the Ghibelines sided with royal power against the Guelphs.

Incidentally, the restitution (by royal power) of Roman Catholicism in England under Mary restored not only the doctrines of Trent but those of Henry VIII, including transubstantiation, private chantry masses, indulgences, compulsory celibacy of the clergy, and works of supererogation against which Cranmer fought openly and against the known wishes of Henry. But when the Six Articles were passed despite his efforts, Cranmer submitted to "duly constituted authority" as was his consistent action until the drama of his last day.

When Mary succeeded to the throne he did exactly what he had done under Henry, he submitted to the authority of the realm. However, Mary required something Henry never did. She required that he not only submit but affirm what he did not believe and deny what he did believe. (This is the background to Elizabeth's justly famous remark: "I will not build windows into a man's soul.")

Only after spending two and a half years in a sixteenth-century prison, enduring constant and sleepless interrogation and hostile debates, and while made to watch the burning of his two friends, did this sixty-seven year old man finally give Mary's interrogators what they had so long and so arduously strived to get, a recantation of his reformation views.

His dramatic recantation of that recantation Neuhaus describes as an act of a "pitiably broken man." Another view is that a truly heroic man was forced to endure a torture that MacCulloch suggests cannot be fully appreciated without knowing something of the "miserable history of brain-washing and interrogation in the twentieth century."

(The Right Rev.) C. F. Allison
Bishop of South Carolina, Retired
Georgetown, SC

RJN replies:

There is indeed another view of Cranmer's retraction of his retraction, and Bishop Allison very honorably represents it. I do think, however, that my view is closer to MacCulloch's portrayal of the archbishop's end. As for imposing "anachronistic" assumptions of church-state relations, I caution against that all the time. I would suggest that there is a qualitative difference between Cranmer and some of the other worthies mentioned. They did not contend that the sovereign they served was the temporal and spiritual head of the Church of Jesus Christ.

Apology Accepted

RJN's "apology for any injury done the many faithful members of the Society of Jesus" (January) is gratefully accepted by this Jesuit (I can speak only for myself). At the same time, I wish that Jesuits did not quite so often make it difficult to take the Society of Jesus seriously.

Francis Canavan, S.J.
Bronx, NY

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THIS TIME

We're No. 144

James Nuechterlein

When I came to New York eight years ago, it was a much tougher town than it is today. A recent report on the collapse of crime in New York sent me back to read my first impressions—recorded in a different journal—of the city's "Hogarthian rawness."

"There is much about Manhattan," I wrote in 1989, "that offends both the senses and elementary notions of decency. It is incessantly noisy, unspeakably filthy. Because there are too many people in too close contact with each other, the most common attitude New Yorkers adopt toward their fellow citizens involves an admixture of distracted indifference, incipient hostility, and impersonal rudeness. Most people most of the time do not even look at each other. To make eye contact in a public place is to risk the sending of an inadvertent message: a proposition, if one is female; a challenge or threat, if one is male. Perpetually overwhelmed by the presence of uncountable others, one constructs an invisible refuge of psychic isolation. As one of the characters in Tom Wolfe's *The Bonfire of the Vanities* puts it, the essential need for the New Yorker is to 'insulate' himself from and against the existence of all those other people. . . .

"If New Yorkers typically exhibit the demeanor of those who have seen it all, it is because they have. There are crazies everywhere. Not as in eccentric, but as in—to employ one of [then] Mayor Koch's favorite terms—wacko. The unhinged rant on streetcorners, scream obscenities in crowded subway trains, carry on extended conversations with unseen partners. (Though the carrying on of solitary conversations is so widespread a practice that it cannot in itself be taken as evidence of derangement; perhaps because they are so leery of speaking to each other, New Yorkers have a striking propensity for conducting audible public discussions with themselves.) People regularly fall asleep (pass out) in full public view: in parks and playgrounds, on subway landings and platforms, propped up in doorways, sprawled out on midtown sidewalks. . . .

"All this edges one toward the conclusion so often reached about the city: that it is, as they say, unlivable. Nor is this a judgment peculiar to tourists or new arrivals. New Yorkers do not deny the city's unlivability; indeed, they insist on it, wear it as a badge of honor. It is difficult in New York to think of life in other than Darwinian terms, and so the conceit comes easily that survival here marks one as among the fittest in the great struggle for existence. If New Yorkers had a motto, one lifetime resident told me, it would be 'I can take it.' And so they can, and do. Even if, as some critics would insist, at a terrible cost. Callousness develops naturally in New York; it is in some ways simply a necessity. How else endure the routine horror?"

As I wrote those words in 1989, not the least of the "routine horror" involved the specter of violent crime. New York's crime rates have never been as bad as those of, say, Detroit or Washington, but the city's central place in the nation's imagination ensured that a situation that was quite bad enough in reality took on the aspect of a nightmare. In 1989 the case of the "Central Park jogger," a young women raped, beaten, and left for dead by a gang of teenagers, became the symbol of crime out of control in a city reverting to the savagery of a Hobbesian state of nature.

I had come to the city, it turned out, as it reached the nadir of its reputation and self-confidence. National newsmagazines ran cover stories on "The Worm in the Big Apple," describing with barely hidden schadenfreude the city's presumed descent into chaos. Even New York enthusiasts, those for whom Manhattan was the center of the universe and who had always assumed that civilization disappeared west of the Hudson, grieved over the city's decline and entertained heretical thoughts of escape to Connecticut or New Jersey.

It was my good fortune never to have personal experience of crime in New York—not even any close calls—but you were always aware of the possibility. If you did not walk the streets in fear and trembling, you did maintain a commonsense wariness, especially after dark. And there were constant reminders of crime's ubiquity, even in forms so petty as the signs, "No radio in car," then regularly posted in parked automobiles. (It was not unusual to see people making good on their claims by installing and removing their radios on a daily basis.) When I moved to Roosevelt Island after a year on the Upper East Side, it was not because of fear of crime, but as I noted here two years ago, the Island's attractions included the fact that it was "two . . . things most of the rest of the city isn't: clean and safe." (I have, incidentally, since moved back to Manhattan, but that's another story.)

Well, now, it seems, everything has changed. Peace has come to Happy Valley. Over the past few years, New York's crime rate has dropped radically—so much so that it accounts for a full one-third of the total national decline. In 1989, there were more than 2,000 murders in the city. We finished last year with 983, the first time the total had dropped below 1,000 since 1968. According to the most recent figures compiled by the FBI, New York's crime rate placed it 144th among the nation's 189 largest cities. You're safer here, the *New York Times* recently

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reported, than in Beaumont, Texas, Independence, Missouri, or Anchorage, Alaska.

Increased numbers of police and improved police practices have brought a decline not only in major crime categories but also in minor, "quality of life" violations. The once omnipresent "squeegee" people (you do want your windshield washed, don't you?) have disappeared, aggressive panhandling on the streets and in the subways has dropped off sharply, and reduced toleration for public drinking has (not surprisingly) reduced the incidence of public urination.

All this has made a palpable difference in the conditions of life in the city. People feel good about New York in ways they haven't for a long time. Little things occur that would have been unthinkable when I first came to the city. As I was walking to work one morning during the Christmas season, I had the extraordinary (for Manhattan) experience of having two separate people—total strangers—smile at me and wish me holiday greetings. The old "I love New York" theme—for years only a sour joke—has a new plausibility. Our very unlivability may be in question.

Real New Yorkers, who think that happiness—like civility—is for out-of-towners, know better than to trust good news. They worry about losing their edge. This isn't, after all, Minneapolis. Manhattan safer than Beaumont? The humiliation. New York without an edge of danger is as unnatural as New York without its Dostoyevskian citizenry.

You want nice, you could live in Scarsdale. FT

Feet

Maundy Thursday

Daily dust over the jagged
stair steps of toes, between the cracked
skin; heels bruised by heat,
small toes stoned by cobblestone.

The wrong one is kneeling,
sprinkling water over the wounded,
a stream of fingers cleaning disciples' feet
as boils and blisters burst with new
covenant balm of blood and bread.

Good Friday

Holes as oval as this
lopsided earth, the black skin
of space filling in with red
against the spike that fastens
tendon to tree, bone to board,
skin and sin to sacrifice and servant.

In the human/divine pores: pain,
prophecy, the prodigal and unrepentant.
Their sounds pound the galaxies;
nowhere to walk or run
but *Thy will be done.*

Holy Saturday

Now unnailed,
calluses washed clean
with the converted Centurion's crying,
arch and ankle wrapped
for the new tomb hewn
from a rich man's cave,
the Savior-slave rots,

descends to the depths
of paradox, cleanses
each brimstone foot
of the dead and damned.

Easter Sunday

Alive,
he has abandoned the sepulchre.
Clover between his toes,
he hoes the graveyard garden
waits for the women
to come with scents and spices.

The unrecognized one,
afterwards he watches them run,
hysterically hollering *hallelujah*!

Marjorie Maddox

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Opinion

Assisted Suicide: No and Yes, but Mainly Yes

Russell Hittinger

"Administration Asks Court to Reject Assisted Suicide," the headlines ran after Acting Solicitor General Walter Dellinger filed on November 12, 1996 the Justice Department's amicus curiae briefs urging the Supreme Court to uphold the states' authority to prohibit physician-assisted suicide. Said to represent the President's personal views, the briefs seemed to mean that Clinton—despite his veto of the partial-birth abortion bill—was willing to take at least one firm pro-life stand. More, by asking the Supreme Court to strike down the Ninth Circuit's opinion in favor of assisted suicide (which cited the Court's own abortion jurisprudence more than sixty times), the briefs also seemed to mean that the Clinton Administration was willing to grant that there are limits to further expansion of the abortion right.

Read carefully, however, the briefs tell a different story. Claiming that the states should be free to make exceptions to their criminal codes in order to accommodate the assisting of suicides, the Solicitor General declares no moral or even political disapproval of the practice. Neither does he attempt to draw a boundary to the abortion right. On the contrary. Vehemently denying any relation between abortion and physician-assisted suicide, he argued that abortion must be insulated from anything that might weaken or challenge it in the two assisted-suicide cases now under review. Somehow, the Clinton Administration had managed once again to fake in one direction while going in another, had managed once again to get the press to report a strong moral position while actually providing the means to weaken it.

The first of the two cases now before the Supreme Court concerns a Washington State law prohibiting physicians from granting patient requests for help in dying. That law was declared unconstitutional by the Ninth Circuit Court in an en banc opinion written by Judge Stephen Reinhardt. The Administration's brief in *Compassion in Dying* begins by actually *conceding* what seems to be the point at issue: that individuals have a "constitutionally cognizable liberty interest" in demanding that physicians assist them in a way that every state except Oregon now outlaws. "That liberty interest encompasses an interest in avoiding not only severe physical pain, but also the despair and distress that comes from physical deterioration. . . . The liberty interest at issue here is still implicated at the point at which avoiding severe pain or suffering and ending life coalesce."

Of course, if individuals have a legitimate interest in killing themselves as a means for avoiding despair and distress, the obvious question is why state governments shouldn't be compelled to change their laws to recognize the interest. And if the interest is "constitutionally cognizable," why shouldn't state-licensed physicians be allowed to assist in its fulfillment?

In answer, the Clinton Administration offers only one argument: the sufficient counter-interest the states have in protecting unwilling patients. "The view that there should be an exception to the State's general policy of protecting life for cases in which a competent, terminally ill adult voluntarily requests life-ending medication strikes a responsive chord in many people. At this point in history, however, a state could responsibly conclude that creating such an exception would endanger persons who are not competent to seek lethal medication, persons whose decision to seek lethal medication is not truly voluntary, or those persons who are not in fact terminally ill." "State legislatures undoubtedly have the authority to create the kind of exception to assisted suicide fashioned by the court of appeals," the Solicitor General quickly adds, lest he be thought to oppose the idea of physician-assisted suicide. "But there is no constitutional basis for imposing that exception on all the states."

If the Supreme Court justices follow the logic of the Solicitor General's analysis, they will arrive at something like this: The federal courts do not need to discover any new constitutional right to assisted suicide, for the states already have sufficient authority to make exceptions to the general applicability of their laws against homicide, customizing their protections to allow some citizens to kill other citizens. Though the U.S. Constitution does not "at this point in history" demand that they exercise it, the states already possess the authority to regard the voluntariness of assisted suicide as a reason to exempt the practice from their criminal codes.

If this seems to be an inversion of both equal protection and traditional legal views in which the voluntariness of a lethal act was precisely what made it murder, that's because it is—and the Clinton Administration deserves no praise for resisting physician-assisted suicide. Even more interesting and less praise-

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worthy things happen, however, when the Solicitor General's briefs turn to the issue of abortion.

The second case before the Supreme Court concerns a New York State law—declared unconstitutional by the Second Circuit Court of Appeals—distinguishing between what doctors do while passively allowing a patient to die and what they do while actively causing a patient's death. Though the Ninth and Second Circuits reached their decisions on different grounds (and thus prevented the cases from being consolidated), both courts agreed that an interest in assisted suicide appears to derive directly from the Supreme Court's prior decisions concerning abortion. Harvard Law School professor Laurence Tribe (who appeared for the plaintiff in the New York case) recently submitted a brief reminding the Court that the abortion right is only one example of a more general right of individual autonomy. Where the abortion right allows the intentional killing of what many people regard as an unwilling victim, Tribe reasonably points out, "this case directly involves no life apart from that of the individual making the personal choice"—and thus "involves state interests of less weight than those at stake in *Casey*."

The law professors and lower courts have pinned the Supreme Court with its own logic. If the Court should reject assisted suicide in these two 1997 cases, serious wiggling will be necessary to save the abortion decision in the 1992 *Planned Parenthood v. Casey* from being compromised along the way. For the impartial connoisseur of legal argument, the most fascinating moment in the Clinton Administration's briefs must come when they attempt to ensure that the *Casey* right to define the "concept of existence, of meaning, of the universe, and of the mystery of human life" will continue to guarantee abortion no matter what decision the Supreme Court comes to on assisted suicide.

Asserting that "the right to choose an abortion implicates a constellation of liberty and equality rights of fundamental importance that are not implicated" by the assisted-suicide cases, the Solicitor General is hard pressed to explain the difference. His clearest argument revolves around the indisputable fact that everyone dies but only women become pregnant. Citing the *Casey* dictum that "a woman's suffering is too intimate and personal for the State to insist . . . upon its own vision of the woman's role, however dominant that vision has been in the course of our history and our culture," he contends that a woman's "suffering" is "unique to the human condition"—and thus triggers a higher standard of protection than the suffering of terminally ill patients.

The logical result of this attempt to save *Casey* seems to be that only women have the right to define the "mystery of human life," though one hopes that's not a result even members of the Clinton Administration would be willing to accept. What they demonstrably are willing to accept, however, is a jurisprudence that pits citizens against their legislators. Because everyone must die, the Solicitor General observes, the terminally ill are not a "discrete or insular minority." Dying is neutral with regard to religion, race, gender, and sexual persuasion. Unlike restrictive abortion laws, which fall uniquely upon women, laws prohibiting assisted suicide will fall even upon male members of state legislatures: though not all legislators must face the chance of becoming pregnant, "all legislators must face the possibility that they will one day suffer from a terminal illness."

This line of reasoning does not rule out further expansion of the right to define one's own "concept of existence." It seems, in fact, an argument tailor-made for gay rights—since all that's necessary to expand the *Casey* decision in almost any direction is a complaint that a "discrete or insular minority" is being made to suffer restrictions on its liberty because of some special feature (of person or behavior) not shared by the majority of the legislators. To observe the probable effect of this reasoning, one need only recall that in the *Romer v. Evans* case last spring the Supreme Court overturned Colorado's Amendment 2 on the grounds that its framing and passage could only have been motivated by an unconstitutional animus against gays.

In the November 1996 issue of First Things I argued that the Supreme Court has so expanded the list of fundamental rights, and has developed so many different ways to nullify state laws, that it needn't invent any new rights. Its repertoire is complete and all that remains is a more modest, case-by-case use of equal protection to expand the scope of these rights. I believe this is just what the Solicitor General is proposing in his amicus briefs.

Several states, along with such prestigious institutions and lobbies as the American Medical Association, have filed briefs against physician-assisted suicide. It is unlikely that they will give up litigation in the event of a judicially discovered right to die. And if the right to die depends upon *Casey*, every subsequent challenge to physician-assisted suicide would be a challenge to the abortion right upon which it is founded. The Clinton Administration's first response to this situation is to protect the Court's repertoire of abortion rights from damage by the political fallout of the debates in the states. And its second response is to keep the door open for the expansion of equal-protection jurisprudence in the line of the *Romer* decision. Its third and most clever response, however, is to urge the Court to send the question of assisted suicide back to the states with a line of reasoning that greatly weakens the obligation of states to protect their citizens from homicide—and at a time in which (thanks to the long train of prior

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Supreme Court usurpations of state authority) the states are astonishingly ill-trained in how to go about protecting their citizens.

The headlines that depicted the Clinton Administration as having drawn a line on a controversial moral issue were simply mistaken. But the moral is not simply that we shouldn't believe everything we read in the newspapers. If the Court follows the Solicitor General's reasoning, we will not merely preserve all the present abortion jurisprudence and expand it to a profusion of "discrete or insular minority" rights, but we will also get physician-assisted suicide. True, we won't get it as the result of an explicitly declared right, but we will get it, and in the same way the Netherlands got its murderous euthanasia industry: through a series of judicially endorsed "exceptions" to the general applicability of the criminal code, by courts weakening old rights while garnering praise for not discovering new ones.

RUSSELL HITTINGER *is the Warren Professor of Catholic Studies and Research Professor of Law at the University of Tulsa.*

A Tale of Three Pregnancies

Wendy D. Shalit

When Hollywood dispatches its most important people to enlighten us on a most important subject, one can only pray for a power failure. But we didn't get one when, last October, HBO aired *If These Walls Could Talk*, its much-touted movie about abortion. *If These Walls Could Talk* follows the lives of three pregnant women during 1952, 1974, and 1996, as each in turn decides whether or not to abort her child. Oh, and they all happen to have lived in the same house over the years, which is where the walls come in, and are played by no less than Demi Moore, Sissy Spacek, and Cher (who also directed the film, with Nancy Savoca).

Cher's position on abortion, you'll recall, is that it is not only a positive good but indeed "a family tradition"—of a very odd sort, presumably, since practicing it would preclude passing it on. In Cher's tale the first and third mothers—one widowed and pregnant by her dead husband's brother, the other single and pregnant by a married man—opt for abortions, and the second mother, who is married, decides to keep her baby. The decisions to abort are given elaborate justification. "I can't have this baby!" Demi Moore says frantically over and over again, as she ponders, panics, and paces all over the house. "I really need to get this done!" The other mother who aborts also does not take her decision lightly, and even goes to the trouble of asking the clinic nurse if her baby can feel any pain during the abortion. "Look, I know that's what the people outside are saying," she is told, "and I've asked the same question to people I trust in the medical profession, and they say that it's not true. There is *no pain* involved . . . none at all." These are not hasty women, you see. These are women who get all the facts before making informed choices.

While the decisions to abort are arrived at after much deliberation and pacing, the decision to keep the baby is left very mysterious. The Sissy Spacek character never advances any reasons for doing so. It's just her "choice," one out of many options a mother could exercise, and it happens this time to be the one she rather arbitrarily makes. Here one can certainly sympathize with Cher's dilemma. She recognizes that she can't have everyone aborting, and so she makes a valiant effort to include at least one mother who keeps her child. But she can't possibly imagine why anyone would want to do such a thing. As a result this is the boring third of the movie, since keeping babies can only be for boring homemakers. Feminism has left Sissy Spacek behind, and because she does not lead the kind of exciting life the other women lead, in forbidden trysts with married men and late husband's brothers, this is all the poor thing has.

A pro-life movie is relatively simple to make; the basic facts of the procedure, if you can bring yourself to see them, speak for themselves. This is why the pro-choice crowd has long objected to film as an unfair medium to explore the issue, since it is far too direct for their more nuanced purposes. Yet if you have ever had the opportunity to witness any of their reactions to a pro-life film (or more recently, to the depiction of partial-birth abortion on the House floor)—"disgusting! too gruesome! too bloody! such extreme scare tactics! I hear they show dead babies and not fetuses! It's so sad that they'll go to such *lengths*!"—you would have been extremely heartened by their howls, for each reveals something more wonderful about human nature than the next. When most people are given the chance to see what actually goes on in an abortion, they immediately recognize its horrible nature. The debate is really between those who want to blame the procedure for that horror, and those who prefer to blame the messenger for bringing attention to what the procedure is.

Since so much of the pro-choice position depends on deception—about when life begins, about when this "tissue mass" feels pain, about the experience of women during and after having abortions, and most crucially about the details of the abortion itself—one is curious how a two-hour movie on abortion could possibly be made without giving it all

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away, particularly when it promised "graphic content and mature subject matter which may be upsetting to some individuals." Would Cher actually show an abortion? And if so, how could she possibly manage a pro-abortion spin on it?

Well, it can apparently be done. First our director must solve the problem of letting pro-lifers speak onscreen without risking that they might say something that could make a viewer sympathetic. It's no easy task, one must admit, simply because of the sheer screen-time pro-lifers must occupy in a movie about abortion, but if you are careful to film only the kind of pro-lifers who seldom talk about abortion, but are instead prone to evil outbursts on other subjects, these outbursts can then reveal for us who they all "really are." Thus do Cher's pro-lifers scream things like, "If you'd arrest all the fags and lesbians this would all be over, man!" or simply, "You're heading straight to hell!" We must infer that these people are pro-life from their presence at the rally, since the relationship between their eruptions and abortion is left so unclear. "God *forgive* us women for taking roles that aren't ours to take," they incoherently clamor. "Let him *break* the curse of independence in women's hearts!"

As if it were not sufficient to drive home that pro-lifers are stupid, homophobic, and sexist to boot, we must also understand that they are psychotic. The pro-lifers portrayed in this movie are so deranged, so creepy, that even I ended up gripping my couch tightly whenever one would appear on screen. All are pale and seem to be in some kind of trance—whether induced by chemicals or hypnosis we do not learn—a trance characterized by a wide, vacant expression in the eyes, and an eerie fixed Cheshire grin at the lips. Even their tone of voice is scary: detached valium sing-songy with an occasional devilish twist, like a demented alien trying to lure you to his lair but doing a very poor job of it.

"We can help you keeeeeep your baaaaby," one protester chirrups to our heroine as another blocks her path to the clinic. To illustrate what is meant by this, the raving protester grips her baby tightly to her chest and begins to stroke him fanatically. But in case you have trouble translating devilish expressions and baby-fetishizing into the proper message, that these women are lying and trying to trick you, we later learn from the beautiful and hip clinic escorts that the whole demonstration was all a ploy, that even the baby used in the demonstration was just a prop—"wasn't even that woman's baby to begin with!" And if by now you are still missing the point, another pretty nurse instructs helpfully, "Those people are craaaaazy."

The only normal pro-lifer in this movie is the best friend of "Christine," our third and last mother-to-be (or not be, as the case may be). Luckily, salvation for Christine's pro-life friend is within grasp; since she is, after all, of sound mind, she soon enough comes to see the error of her naughty pro-life ways. Before she evolved she had told a dismayed Christine, "If you get this abortion I *swear* you are on your own," but eventually chastened and seeing the darkness of intolerance, will from that point forward support Christine in whatever decision she makes. The exchange at this pivotal moment is very wrenching and dramatic for all concerned, as Christine's pro-life friend is a bit of a hard sell: when Christine pleads with her friend, "Oh, would you just throw away your morals for *once*?" our pro-lifer eagerly rebounds, "That's cool!" So much for her morals. On, then, to the clinic.

Significantly, in neither abortion, whether legal or illegal, do we see any "tissue mass" removed. The camera is always careful to remain steadily on the woman, fixed on her brave expression as her "choice" unfurls about her (and below her too, presumably, though we wouldn't know it). Still Demi Moore's 1952 abortion is horrid and almost unbearable to watch: the money-hungry abortionist is cold and cruel, and after counting the cash commands her to "lie down! lie *down*!" on the kitchen table. Demi's character "Claire" screams and writhes in excruciating pain, but can't get away from him because "The more you move, the more it's going to hurt, so *don't move*!" There is blood everywhere, and Demi's character eventually bleeds to death.

Luckily, as the abortion which takes place in 1996 will later make clear, everything unpleasant here is simply attributable to the illegality of the procedure. Well! For a moment there it almost looked as though there might be something disturbing going on in an abortion. But no—as we soon learn, abortions which take place in the nineties aren't so much abortions as they are sacraments. Cher as "Doctor Dorothy Thompson" flies into her clinic twice a week, wears a bulletproof vest, and is described by her all-female staff as generally "a tough lady" all around. On the operating table our now gratefully horizontal heroine Christine, eyes brimming with tears, manages nonetheless to choke out a long stream of wonderment directed at her redeemer. "With all you have to deal with, *why* do you still do this?"

Get with it, Christine. C'mon—you really mean to say you haven't figured it out yet? Why, Cher is a feminist abortionist, of course, dodging bullets and plowing through barricades to fight for her noble calling. For unlike the male abortionist, who was bad, Cher is good. She isn't just making a living, no sir. She is here because she "doesn't want to see those days come again." Those dreary days when all was not so sweet and disinfected at the abortion table, and when women weren't allowed to bond closely with their abortionists and engage them in meaningful pre-abortion dialogue.

Meanwhile, out at the loony bin, all is not so serene. The camera lurches once more to the restless

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protesters, whose pitch and irrelevance is increasing at a rapid clip. One unhinged priest is screaming, to loud cheers, about the need for mind control: "Who will *controooooool* the *miiiinds* of our children for the next one *huuuuundred* years? *That* is the struggle that is before us today, people!"

Cut back to the operating room, where now the actual abortion is taking place. Cher benevolently smiles down on the mother stretched out before her, stooping fondly and clucking at her splayed legs how it is all "so normal, perfectly normal." She is so reassuring, so beatifically smiling, in fact, that we can only call this portrayal positively Mary-like. Only here the end product is the Immaculate Abortion, with nary a drop of blood. Nary a drop, that is, until one of the unstable pro-lifers bursts on this idyllic scene and spoils all the fun by shooting up everyone.

Since the strongest argument for abortion *If These Walls Could Talk* advances is that pro-lifers are murderous and evil, are we to draw from this that for pro-lifers to gain favor they must prove that in fact they are soft and cuddly? Succeeding in conducting the debate as far away as possible from the actual grounds in dispute has understandably proven a great windfall for the pro-choice movement, but why must we cooperate when they try so desperately to change the subject? Perhaps it is only natural that the initial instinct of pro-lifers would be to defend themselves and immediately join the we're-not-all-that-bad-so-let's-compromise club, but to the extent this simply hasn't worked, perhaps it's time to start the debate over and on our terms this time.

In *The New Our Bodies, Ourselves: Updated and Expanded for the '90's*, there appears a most interesting diagram of a vacuum-suction abortion, one not unlike the picture of abortion portrayed in *If These Walls Could Talk*. It is a very complete diagram we find on page 357, with three different pictures revealing all of the mystical interior of a woman. The uterus and amniotic sac are drawn in very detailed fashion, and then we move on to the speculum, the vacurette, and observe exactly where and how a vacuum so brandished goes about its business in there, where precisely it attaches to a vacuum curettage unit, and so on. Only, get this, the uterus is completely empty. There is nothing in there. Not even an undifferentiated mass or representational cloud—just *entirely* empty. So again we find the Immaculate Abortion, the abortion without anything to abort. One is only left to wonder why such a woman would need an abortion, when she is not pregnant in the first place.

This is the crux of the pro-choice deception, when and how a life begins, and it is because everything depends on it that our arbiters of the status quo—from the *New York Times* to the Hollywood elite to the Women's Health Collective that publishes *Our Bodies, Ourselves*—will give anything to avoid this question. Even our most highly regarded legal minds hope to get away with running from it. Just like Justice Blackmun in *Roe v. Wade*, Ronald Dworkin prefers to relegate the question of when life begins to a category where it may be avoided. As his view is expressed in (the rather misleadingly titled) *Life's Dominion*, "Once again it would be wise, therefore, to set aside the question of whether a fetus is a person, not because that question is unanswerable or metaphysical . . . but because it is too ambiguous to be helpful."

One might naively have thought just the opposite: that because of the importance of what is riding on this question, any ambiguity would be seen as reason to explore the matter further, not abandon it altogether. Moreover, if one insists on giving up, it would seem natural then at least to err on the side of caution, on the side of life. It is a strange form of arrogance that permits a Dworkin to cleanse himself of the inconvenience of considering such a question while making a decision that necessarily implicates it. But in this he is typical, no different from a Demi Moore or a Cher (except, to be sure, that Cher gets to cast herself as dying for our sins in the finale, while Dworkin merely dies for the positivists).

If These Walls Could Talk is a very helpful and important film for the pro-life movement, more helpful even than a hundred specious arguments delivered to us by Ronald Dworkin. By showing us so plainly and in such furiously caricatured form what pro-choicers wish we wouldn't talk about, it teaches us what we must.

WENDY D. SHALIT *is a senior at Williams College.*

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The Real Reason for Religious Freedom

John H. Garvey

Why do we protect freedom of religion? The commonsense answer, which I think hits close to the truth, is that we protect it because religion is important. That simple answer creates serious problems for liberal theory, however, so it is seldom discussed or defended by legal writers.

Some say freedom of religion is important because it is one way (though only one) of exercising our autonomy as human beings interested in making our own choices and shaping our own lives. Religious devotees create lives for themselves around certain kinds of beliefs and values. They will probably join a community of like-minded people (a church). They typically have ideas about their relationship to God that orient them in their daily life. And so on. In doing these things they are protected by what Laurence Tribe calls "rights of religious autonomy."

There is nothing unique about religious autonomy. It is a name for one set of choices people make about how to live, but there are other sets of choices within the field of autonomy: choices about reproduction, risk taking, vocation, travel, education, appearance, and sexual behavior. For Tribe, religious autonomy is just one aspect of the larger "rights of privacy and personhood."

Moreover, within the set of religious choices we attach value to the act of choosing, not to particular outcomes. A decision to reject God is entitled to the same protection as a decision to follow him. As Gail Merel has put it, "Individual choice in matters of religion should remain free: individual decisions are to be protected whether they operate for or against the validity of any or all religious views. . . . The individual is freed from . . . the oppressive effects of government regulation in order to believe or disbelieve as he chooses."

JOHN H. GARVEY *is Professor of Law at the University of Notre Dame Law School. This article is excerpted from his book* What Are Freedoms For?, *just published by Harvard University Press.*

The Supreme Court has given some support to the idea that autonomy is the value underlying religious freedom. It held in *Torcaso v. Watkins* (1961) that Maryland had violated religious freedom by requiring state officeholders to declare their belief in God. This suggests that the Constitution attaches equal value to belief and disbelief: the important thing is the choice, not the outcome.

This conclusion is hard to square with the language of the First Amendment, which protects only the free exercise "of religion." Rejecting religion is an exercise of freedom, but it is not an exercise of religion. (Amputation is not a way of exercising my foot.) The free exercise clause by its terms seems inconsistent with the idea of autonomy. It seems to favor choices *for* religion over choices *against* religion.

One way to avoid this textual limitation is to define "religion" very broadly—so broadly that even disbelief is a kind of religion. This is what the Court did in interpreting the draft law (*U.S. v. Seeger,* 1965). When I was a boy people were exempt from military service if their "religious training and belief" made them oppose war. Federal law defined religious belief as "an individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation." The Supreme Court interpreted the law with an eye on the free exercise clause, and said that the question was whether "the claimed belief occup[ies] [illegible] in the life of the objector as an orthodox belief in God holds in the life of one clearly qualified for exemption." The idea of "God" is "more of a hindrance than a help." We should think of God "not as a projection 'out there' or beyond the skies but as the ground of our very being." And "religion" is nothing more than "the devotion of man to the highest ideal that he can conceive."

The autonomy theory views religious freedom from an agnostic standpoint. That is hardly surpris-

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ing. It follows rather naturally from the "autonomous" view of human nature. If you scratch a person deep enough, the theory holds, you will find a kind of free-floating self. If you looked at the surface of my life you might say that I was a middle-class Irish Catholic, husband, father of five children, law professor, part-time musician, Celtics fan, and so on. I have naturally inherited a variety of moral convictions (those typical of bourgeois Catholics, or lawyers). I am also moved by various desires that arise from and act upon the details of my life (I want prestigious publishers for my books, money for my children's education, time with my wife).

But my essential self is able to rise above these details. It is unencumbered, unsituated. It can step back from my habitual convictions and desires (my first-order preferences), reflect critically on them, and change them to suit its own plan (second-order preferences) for what my life should be like. Exactly where I get my second-order preferences is a matter of some dispute. Some say that I am guided by reason to universally applicable principles. Others say that I just make them up. But everyone agrees that it's up to me—to my unencumbered self—to choose them, however I might find them.

This view of human nature is the basis for a powerful argument in favor of freedom. A just political order has to take account of the way people really are. It must, in other words, respect their freedom to act as unencumbered selves on their second-order preferences. In the case of religion this means that it must view them as persons choosing, from a detached position, a theological orientation. This is what I mean by saying that the autonomy theory assumes the agnostic viewpoint. I might be a Catholic in my daily life, but that is a first-order preference. The *real* me is able to step back from it, assume an agnostic stance, and make a fresh start. I might then renew my religious commitment; but I might reject it. It doesn't really matter. The important thing is that the real me should organize my life along lines it freely chooses. The law protects religious freedom in order to facilitate that choice.

The autonomy theory is in one sense too powerful. It holds that a just society must let its citizens choose how to live their own lives. Some of the relevant choices are religious, so it follows that the government must not interfere with them. But there is nothing special about religious choices in this argument. They are on a par with promiscuous sex, cigarette smoking, and the practice of optometry. Our instincts and the language of our Constitution tell us, though, that there is a difference. The Bill of Rights protects the free exercise of religion. It says nothing about free love, free trade, or excise taxes on tobacco. What we need is an argument that is capable of protecting religion without protecting a lot of other activities that we don't feel strongly about.

Having said this much, I will not pursue the point further. I want to turn instead to a second problem with the autonomy theory. It concerns its assumptions about human nature. One is the factual assumption that we are capable of stepping back from our convictions and desires and reorganizing them according to second-order preferences that we freely choose. Another is the more value-laden assumption that we *should* do this in order to live "authentic" lives. There are those who would dispute both assumptions, and people who want religious freedom are among those most likely to do so.

Consider first the factual assumption. It is inconsistent in several ways with recurring ideas in Christian theology. The notion of original sin is meant to suggest the inherent imperfection of human nature. In the strongest statements of this idea—Augustine's is a good example—it entails our inability to master sinful desires and to freely will doing good. In the common phrase, human nature is the slave of sin. The counterpoint to this unhappy view of human nature is the idea of grace. It is a kind of sharing in divine life, a power that enables us to control sinful desire, live good lives, and win salvation. But grace is given to us by God gratuitously. We can't call it down with a rain dance, and we can't behave as we should without it. It is out of our control. This aspect of grace, followed to its logical conclusion, leads to the Calvinist notion of predestination: our salvation is entirely in God's hands, and some are not saved.

This view of human nature affects the way many religious people look at the idea of choice. The individual does not have complete control over choosing the religious option. It is God who makes the choice. I might have to accept God's choice and cooperate in carrying it out, but I am cast as a supporting actor. Thus the Jews understand themselves as the *chosen* people. Their stories tell of people pursued by God and brought back to do his work. Jonah, called by God to be his prophet, tried to escape on a boat for Tarshish but was brought back by miraculous means. In the New Testament, Jesus himself set the example by praying before his death, "Father, if it be thy will, take this cup from me. Yet not my will but thine be done." God converted the apostle Paul by striking him to the ground and blinding him. The scholar Alan Simpson has argued that a similar experience of conversion is the essence of Puritanism.

Those who take this view of human nature will also disagree with the autonomy theory about the value of running our own lives according to our second-order preferences. That is not the basis of real freedom. Augustine claims, for example, that real freedom is freedom from the bondage of sin. And it is out of the question for free will to realize this freedom through its own power; this it can do only through the grace of God. It sounds paradoxical, but it is accurate to say that Christian freedom consists not in making our own choices but in obeying the law of God.

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The autonomy theory, then, bases religious freedom on a view of human nature that many religious people would reject. This need not be a fatal defect. We also justify freedom of speech on grounds that some speakers would reject—we say that it promotes democracy, and yet we grant it to Nazis who don't believe in democracy. But religious believers play a crucial role in free exercise law. They are not like the Nazis. They are like the New England town meeting—the paradigm around which the theory is built. If the theory does not work for them there is probably something wrong with it.

There is an additional doctrinal point. Free exercise law has a tendency to assume a kind of split-level character. In addition to its other shortcomings, the autonomy theory fails to explain this tendency.

In some areas of the law believers and unbelievers get equal protection. This is how it is with compelled worship and belief. Agnostics as well as Quakers can object to a test oath. But there are other areas where the law protects only believers. The free exercise clause sometimes requires states to pay money to religious believers—as in paying unemployment compensation to those whose religion requires them to abstain from work on certain days. It does not require payment to agnostics. It excuses Amish children from public school, but not agnostics. It protects the internal affairs of churches but not other associations against government interference.

In recent years the Court has shown an inclination to even out these differences. It has held that the Constitution does not, as a general rule, require special treatment for religiously required behavior. But this principle is still subject to a number of qualifications. First and most obvious is the fact that the free exercise clause still forbids discrimination against religion. That in itself is a kind of special treatment. There is no comparable rule protecting nonreligious action. The army can't have a special rule against yarmulkes. But it can have a role preferring yarmulkes to other nonuniform garb. Second, the Court has left standing all the old cases requiring religious exemptions (the ones about government benefits, school attendance, church affairs, and so on). It has even enlarged upon some of these.

These different levels of protection suggest that there are several principles at work in the law of religious freedom, not just one. The autonomy theory is appealing in its simplicity. But it is too simple to explain the actual complexity of the law.

The second standard argument for freedom of religion is political rather than ethical. The argument is that the denial of freedom causes strife that leaves everyone worse off. We can find both comparative and historical evidence for this conclusion. Lebanon, Iran, India, and the Sudan have recently seen violent struggles for religious supremacy. England and much of Western Europe did so in the sixteenth and seventeenth centuries. The Supreme Court has found parallels in early American history. As Justice Felix Frankfurter argued in *McGowan v. Maryland* (1961), "In assuring the free exercise of religion, the Framers of the First Amendment were sensitive to the then recent history of those persecutions and impositions of civil disability with which sectarian majorities in virtually all of the Colonies had visited deviation in the matter of conscience."

Like the autonomy theory, the political theory tries to justify religious freedom from an agnostic viewpoint. It stresses two kinds of harm that affect unbelievers. One is civil war. Even noncombatants get killed in a civil war, and everyone suffers from the collapse of the government and the economy. The other harm is persecution. Unbelievers cannot be prevented from practicing their faith. (They have none.) But if the government wants to compel a particular form of religious observance it might have to "torture, maim, and kill . . . 'atheists' or 'agnostics'" along with nonconforming believers (*Zorach v. Clauson*, 1952).

This theory, like the autonomy theory, makes freedom universally available. But here the value of freedom is instrumental, not intrinsic. It leads to peace. If it didn't, we would take another approach. The autonomy argument, by contrast, said that freedom was intrinsically good for people like us. Of course it had to make some controversial assumptions about what kind of people we were. It is a virtue of the political argument that it dispenses with those assumptions. And there is much else to recommend it. It is realistic and practical, and goes some way toward justifying a special place for religious freedom. It does, though, have some weaknesses. The most important one is that it is incomplete.

Consider first the case of fringe groups. In American society there are, depending on how you count, hundreds or thousands of them. They include small but well-known sects (Hare Krishnas, members of Reverend Moon's Unification Church) and smaller, little-known local cults. For my purposes they also include unchurched believers—religious individualists who seek God in their own way. The political defense of freedom gives no protection to these people. If a group is sufficiently small the government can simply stamp it out without running the risk of civil war. Of course civil war is only one kind of strife. Stamping out fringe groups is persecution, and the political argument is designed to avoid that too. But what exactly is wrong with fining, jailing, medicating, religious eccentrics? These forms of punishment and cure are not in themselves objectionable, the way cruel and unusual punishment would be. We routinely apply them to drug offenders and think that we're doing the right thing. The obvious answer is that there is a difference between religious activity and drug dealing: one is good and the other is bad. But that argument, which I will develop

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further below, takes us beyond our concern with political strife.

So the political strife argument doesn't protect groups who can't fight because they're too small. Neither does it protect groups (some of them large) who are unwilling to fight. The Amish on principle flee from controversy and eschew politics. Quakers are well known for their pacifism. Groups that are far larger engage in many practices that they see as desirable but not essential, and that they would not defend with violence. Consider the employment practices of Catholic schools. The political defense of freedom gives no shelter to these groups if they pose no threat to peace.

I think we can state these objections in an even more general form. The political explanation tells us that freedom is good because it brings peace. It does not tell us why we should prefer freedom to *other* means of bringing peace. It gives us no reason to object to the suppression or the establishment of religion, provided the job is done ruthlessly enough to prevent civil war. Religion was an insignificant cause of strife in the Soviet Union from Stalin's time until very recently. There was little freedom, but that is no objection if all that matters is peace. The obvious advantage of freedom is that it respects piety as well as peace. But we need an argument that will tell us why it is good to respect piety.

The best reasons for protecting religious freedom rest on the assumption that religion is a good thing. Our Constitution guarantees religious freedom because religious people want to practice their faith. As Mark DeWolfe Howe said in *The Garden and the Wilderness* (1965): "Though it would be possible . . . that men who were deeply skeptical in religious matters should demand a constitutional prohibition against abridgments of religious liberty, surely it is more probable that the demand should come from those who themselves were believers."

One form of distinctively religious action is the performance of ritual acts. These include prayer and other kinds of worship; compliance with sumptuary rules governing dress, diet, the use of property; the observance of sacred times (feasts and holy days) and places (pilgrimages to shrines); rites connected with important events in the believer's life (birth, death, maturity, marriage); and so on.

Acts like these make sense only in the context of an entire religious tradition. Acts of worship presuppose a belief in a supreme being. In Christianity, Judaism, and Islam, God is described as the Creator, Lord, and Judge of the world we live in. The believer thinks that acts of worship are good because they please God or harmonize with the order of nature. Other forms of prayer presuppose a belief in a transcendent reality—a kind of life outside our world that is more real than our own, and that affects us in miraculous and mundane ways. We may go on living there (in heaven or hell) when we die. Prayer is the means by which we communicate with and try to influence this reality. Still other rites presuppose the existence of a social organization that enables like-minded people to act together. Some are led by a specialized class of functionaries who teach, supervise, and minister to ordinary members.

There is in our traditions a religious argument for religious freedom that is peculiarly associated with ritual acts. It is, simply, that it is futile to coerce people to perform ceremonies (prayer, worship, declarations of belief) they don't believe in. This idea has ancient roots, but it was most fully developed by English Protestants during the seventeenth century. Locke appeals to it in his *Letter Concerning Toleration*: "True and saving religion consists in the inward persuasion of the mind, without which nothing can be acceptable to God. And such is the nature of the understanding, that it cannot be compelled to the belief of anything by outward force." Coercion can be worse than futile—it can be counterproductive. In Milton's phrase, to force a ritual performance is "to compel hypocrisy, not to advance religion."

In modern free speech law we often run across the idea that the mind is a private domain which the government should not, and as a practical matter cannot, enter. Locke's and Milton's claims are different. They rest on a religious idea about our relations with God. Coerced ritual is futile because it cannot put the soul in touch with God. The individual cannot hear God unless he has faith. And faith does not come to people just because they go through the ritual motions. God gives it to whom he wills. It is an idea characteristic of Protestantism that this happens in a very individual way. The most effective medium is Scripture, through which God may speak to the pious reader.

This distinctively Protestant "right of private judgment" began as a protest against the Catholic Church's claim to mediate between God and individual souls, but it served equally well as an objection against state mediation. Roger Williams underlines the connection in *The Bloody Tenent*: "In vain have English Parliaments permitted English Bibles in the poorest English houses, and the simplest man or woman to search the Scriptures, if yet against their souls' persuasion from the Scripture, they should be forced (as if they lived in Spain or Rome itself without the sight of a Bible) to believe as the Church believes."

Let me turn now to a second form of religious action, and a different argument for religious freedom. Members of a religious tradition typically want to acquire and spread knowledge about the esoterica of their beliefs, ritual forms, ceremonial duties, and so on. These special kinds of religious truth are often set down in sacred texts (Bible, Torah, Qur'an)

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and elaborated upon in written and oral commentaries (Talmud, Sunna). Believers like to study these texts and commentaries, to discuss them with others, and in some traditions to bring them to the attention of unbelievers.

Those who feel this way sometimes argue that the freedom to acquire and spread religious knowledge leads us to the truth. We inherit this idea, like the last, from seventeenth-century English Protestantism. It is the message of Milton's *Areopagitica*—an expression of Puritan faith published in the same year as Roger Williams' *Bloody Tenent*. Milton offered several reasons why unlicensed printing would promote the discovery of religious truth. One was the now familiar claim that truth will prevail over falsehood in any free encounter. A less familiar but more radical idea was that God's revelation is progressive. This makes free inquiry not only safe but actually desirable. Individual thinkers may wander astray, but the net social effect of freedom is to bring us closer to God. "To be still searching what we know not by what we know, still closing up truth to truth as we find it . . . this is the golden rule in Theology as well as in Arithmetic, and makes up the best harmony in a Church."

Let me reemphasize that these two arguments (futility, truth) rest on religious premises (faith is a gift; revelation is progressive). They will convince only religious believers. But within that group they have carried the day. Consider the current positions of the Catholic Church and the Presbyterian Church—the two chief targets of Puritan polemicists like Milton and Williams.

The Catholic Church's *Declaration on Religious Freedom* was promulgated during the Second Vatican Council in 1965. The *Declaration* offers several reasons for protecting religious freedom. Prominent among them is the idea that faith arises through internal communication between God and the individual: "For of its very nature, the exercise of religion consists before all else in those internal, voluntary, and free acts whereby man sets the course of his life directly toward God. No merely human power can either command or prohibit acts of this kind." Equally prominent is the notion that freedom assists the search for religious truth: Truth "is to be sought after in a manner proper to the dignity of the human person and his social nature. The inquiry is to be free, carried on with the aid of teaching or instruction, communication, and dialogue. In the course of these, men explain to one another the truth they have discovered, or think they have discovered, in order thus to assist one another in the quest for truth."

The 200th General Assembly of the Presbyterian Church (U.S.A.) adopted a *Policy Statement* on religious liberty in 1988. It too offers a variety of reasons for securing freedom. One is that faith cannot be coerced: "Religious insight and faith come from God, who exists over and beyond the powers and principalities of earth. Such insight and faith are recognized and received; they can neither be commanded or controlled by civil authority, military power, or religious piety." The other is that control of religion inevitably leads to suppression of the truth, because "there are no foolproof human mechanisms by which to test the authenticity of insight claimed to be from God."

Let me turn now to a third variety of religious action, and a different argument for religious freedom. Religious believers are often bound by special moral obligations. These come from a moral code that has some supernatural sanction (the halakhah in Judaism, the shari'a in Islam). Such a code often demands forms of behavior that the rest of society views as supererogratory, morally neutral, or even (occasionally) wrong. A violation of the moral code may be seen as something worse than a breach of duty—as a kind of personal harm or insult to the author of the code, which calls for repentance and might be punished or forgiven on a transcendent level.

About these kinds of actions we might say that the government should not force people to violate moral duties if (in their system of belief) they will face transcendent consequences. Otherwise the believer might have to choose between violating the law and risking damnation. This is how it was with the early Mormons who were convicted of practicing polygamy. Or the believer might be forced to forgo a great good. In one of the Supreme Court's recent cases an American Indian complained that the government's use of a social security number for his daughter would "rob [her] spirit."

Of course the government often causes great harm to unbelievers as well. A religious pacifist fears for his salvation when he is drafted, but the average Marine also suffers at the thought of leaving his family and going into combat. From a religious point of view, though, the cases are not comparable. The harm threatening the believer is more serious (loss of heavenly comforts, not domestic ones) and more lasting (eternal, not temporary). That is what justifies this special kind of freedom to religious claimants alone.

This is a consequentialist argument for freedom (though the consequences it relies on are religious). But we could also make a nonconsequentialist argument. Moral codes impose religious duties, and there is something uniquely wrong with forcing people to violate a religious duty even if they are not primarily concerned about final rewards and punishments. Strict Calvinists, for example, see no connection between the performance of religious duties and election to heaven. But they can still demand religious freedom. The focus of their claim is not their own destiny. They are concerned instead with the effect on God, as it were—they have to disappoint him in

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order to comply with the law. The individual places great value in keeping faith with such duties, and it is this value that religious liberty protects.

These arguments about suffering and duty differ from the earlier arguments about futility and truth. Claims about suffering and duty focus on the personal interests of religious believers. They are an appeal to rights in the modern sense—a form of protection for people who are losers in the political process. Claims about the futility of coercion and the discovery of truth focus on a larger social interest. "We will all be better off," the believer says, "if we allow religious freedom."

Along with this difference in focus goes a difference in coverage. The earlier arguments apply universally. Coercion is futile no less for atheists than for Catholics and Jews. God may give them faith or he may not, but the government can't help him out. So too with the discovery of truth. It's no use letting only right-thinking Christians search, because we're talking about revelation and God can reveal himself to anyone. As the Gospel says, "The spirit blows where it wills." The arguments about suffering and duty, by contrast, offer protection only to religious believers. The sufferings of the faithful are special precisely because they believe in heaven, hell, eternal life, and so on. The believers' duties are more compelling just because they arise from God's commands.

This explains what I have called the split-level character of free exercise law. In some areas the clause protects everyone. This happens when we are dealing with ritual acts and the pursuit of knowledge. Atheists and Quakers alike can object to laws prescribing forms of faith (test oaths) and worship (school prayers). Anyone can object to a law that forbids inquiry (the teaching of evolution) for religious reasons. Likewise anybody can object—on free exercise as well as free speech grounds—when the government tries to limit communication about religiously significant questions. These matters are all covered by the first set of principles: compelled belief is futile; revelation is progressive.

In other areas the free exercise clause protects only religious believers. The cases where this happens are cases about compliance with a moral code. The believer's faith might require him to leave his job, or school, or the army. The Supreme Court used to give serious consideration to all such claims. Today it is harder to get special treatment, but it is not impossible. And it remains true now, as before, that "to have the protection of the Religion Clauses, the claims must be rooted in religious belief" (*Wisconsin v. Yoder*, 1972). This disparity is explained by the second set of principles: believers face a special kind of suffering; they are subject to a higher kind of duty.

The draft cases do not fit this picture. None of the reasons I have given seems to cover the conscientious objection of nonreligious young men to service in the armed forces. But we should not generalize from these cases, any more than we should make death penalty cases the pattern for rules of criminal procedure. Killing is an extreme act, and the feeling of dread that attends it can give even nonreligious duties an absolute cast.

I have argued that we should take the believer's viewpoint rather than the agnostic's viewpoint in thinking about religious freedom. But my argument seems incomplete. It relies upon reasons that only some people find convincing. And sometimes it protects freedom only for those who are convinced. How can such a lopsided idea justify one of our basic constitutional rights?

I admit that my argument for religious freedom is lopsided, but I want to stress that this is not as serious a problem as it might appear. This is so, first of all, because it does not require agnostics to give up something for nothing. Free exercise law has a split-level character. On one level it gives special protection to religious believers. But on another level it treats everyone alike. The government can't force anyone to perform ritual acts, and it can't interfere with the pursuit of religious knowledge. This means that everyone has a reason to support some degree of religious freedom.

The standard arguments assume the agnostic point of view because they want a rule of religious freedom that is fair to everyone. Fairness here has two dimensions. One is consent. Universal consent is a good indication that a rule treats everyone fairly. (That is why social contracts are always adopted unanimously.) The agnostic point of view tries to base freedom on principles everyone can agree with. Revelation is out because it's hidden from some people. We are asked to look instead at facts about human nature and our social situation: the autonomy argument refers to the unencumbered self; the political strife argument refers to the causes of war and peace.

The other dimension of fairness is reciprocity. A contract is fair in this sense if the parties share equally in the benefits of the bargain. The autonomy argument satisfies this condition by making religion just one of many protected choices, and by offering equal religious freedom to believers and unbelievers. The political argument says that freedom results in a public good (peace) that everyone enjoys.

The religious defense of free exercise is lopsided because it violates these conditions of fairness. The principles that it relies on to justify freedom—futility, truth, suffering, and duty—all refer in some way to religious beliefs that many people do not hold. This makes it hard for some people to consent. The religious defense also gives special protection to some kinds of religious action. That is, it excuses religious actors from some generally applicable laws when their moral code requires some other course of

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conduct. This violates the condition of reciprocity. Why should we prefer an argument of this kind to arguments that seem to satisfy the canons of fairness?

For several reasons. First, the standard arguments themselves fail the test of fairness. The autonomy theory, like my own theory, appeals to assumptions about human nature (the unencumbered self, the value of authenticity) that are inconsistent with convictions that many religious people hold about original sin, grace, faith, and revelation. In the real world these people would not consent to a social contract based on autonomy. To avoid this problem the theory asks everyone to assume the agnostic viewpoint. But why not ask agnostics to assume the religious viewpoint? That too would produce unanimous consent. It would not be consistent with liberal theory, because it commits us to a view of the good before we have resolved the issue of rights. But we can't assume the correctness of liberal theory. That is the very question we're debating. If my theory won't get universal consent, neither will the autonomy theory.

The political strife theory is flawed in the same way. It asks us to make the empirical assumption that we can only have civil peace through religious freedom. But there are other ways of avoiding strife; repression is one of them. Unless freedom has some other good points, there is no reason to prefer it over repression.

There is reason to doubt, then, that the standard arguments are more fair than mine. My own approach, on the other hand, has some real strengths that they lack. It is the most convincing explanation for why our society adopted the right to religious freedom in the first place. It is possible to imagine a society of skeptics insisting on a free exercise clause, but the idea is far-fetched.

The religious justification is also the reason why many, perhaps most, religious believers claim the right to freedom today. It enables them to perform their religious duties and to avoid religious sanctions. It allows them to pursue the truth, as God gives them to know the truth. And no other course could bring them closer to God.

Finally, the religious justification is the only convincing explanation for the split-level character of free exercise law. Sometimes religious believers and nonbelievers are treated alike; but sometimes the law protects only religious believers. This is not something that we can explain by appeals to consent and fairness. It violates the canon of reciprocity. The only convincing explanation for such a rule is that the law thinks religion is a good thing. FT

The Muse in Brighton

The beauty school on Brighton Lane
spills pink-smocked girls at twelve o'clock.
They blossom cigarettes and talk,
pluck lilacs from the parish green
and plant them in their hair for spring.

But the bells of St. Columbkille's clang
and Brighton mourners dim the street,
with roses on the hearse's seat
to take them to the grave.

And all the novice scissors stop,
and all the young beauticians hold
to see the rosewood in the cold
be taken to the grave.

Lady, in the flower I hear the bell
the green tongue tolls, and in the swell
of young girls' breasts I hear the sound
that stills the city to the ground
and makes the shurring scissors shut
and stops the lover as he woos.
It's death undying is our muse.

J. Bottum

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What Are You Looking For?

Marc Gellman

In Genesis 37:15 we read the story of how Joseph arrived in the town of Shechem in search of his brothers and his father's flocks that they were pasturing. Joseph had been sent by his father Jacob to Shechem, not just to bring back word about his sheep and goats, but, primarily, to give Joseph a chance, away from his father's presence, to reconcile with his brothers and to mend a relationship that had been sundered after Joseph's arrogant dreams and Jacob's lavish gifts to Joseph.

Joseph's brothers were not in Shechem when he arrived there, and just before turning back, his mission unfulfilled, we read in the Torah, "a certain man found him and behold he was wandering in the field." That man (or was he a man?) asked Joseph a two word question, *ma t'vakesh*, "What are you seeking?" Joseph answered the man, "I seek my brothers. Tell me, I pray thee, where they are feeding the flock." The stranger (or was he a stranger?) said to Joseph, "They are departed hence; for I heard them say, 'Let us go to Dothan.'"

And we must ask, "Why is this incident in the Torah at all?" Who cares if Joseph found his brothers in Shechem or Dothan or Brooklyn? Why would a narrative as concise and spare as the Hebrew Bible, the Tanakh, take time to recount Joseph's false start in finding his brothers? The answer, of course, is to be found in Lewis Carroll's *Alice in Wonderland.* At the beginning of *her* journey Alice asks the Cheshire cat, "Would you tell me please, which way I ought to go from here?" The cat answers her, "That depends a good deal on where you want to get to." Its too bad Joseph did not meet the cat. He might have realized that this great short question, *ma t'vakesh,* was not a question about the location of his brothers, but a question about the location of his life. And the stranger who met Joseph in the fields of Shechem may also have been deceived about the real purpose of their meeting. He may have thought that he was just helping a stranger find his flocks, but what he was really doing was helping the Jewish people find a future.

For consider this: If Joseph does not meet the stranger he returns home and is not sold into slavery in Egypt, *which means* that he would not have become a big shot in Egypt, *which means* that he would never have been able to provide a safe haven in Egypt for his family during the famine in Israel, *which means* that his family would not have become the Jewish people over four hundred years of slavery, *which means* that the Pharaoh would not have tried to oppress us, *which means* God would not have sent Moses to take us out of the house of bondage with a strong hand and with an outstretched arm and with many signs and wonders and through forty years of desert wanderings to the land flowing with milk and honey, *which means* that we would not have been able to establish a Jewish kingdom under Saul, David, and Solomon who would build the temple in Jerusalem, *which means* it could not have been destroyed by the Babylonians who would exile us to Babylonian cities like Sura and Pumbadita where Jewish life could begin to create tools like the siddur and the Talmud to adapt Jewish life to the realities of diaspora existence which really began in earnest after the Romans destroyed the Second Temple, *which means* that there never would have been the impetus for the rise of Christianity which saw the destruction of the Temple as a sign that they were now the new Israel, *which means* that Helena the mother of the Emperor Constantine could never have made Christianity the religion of the Byzantine Empire in 325, *which means* that Muhammad would never have organized the Arabs under the new religion of Islam to reclaim the

Marc Gellman *is rabbi of Temple Beth Torah in Dix Hills, New York and author (with Monsignor Thomas Hartman) of* How Do You Spell God? *An earlier version of this essay was delivered as a sermon for the Jewish High Holy Days.*

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holy sites which led to the Islamic empire of the eighth century which saved all the texts of the Greek philosophers because Greece and Rome were covered by drooling vandals and which gave us relative freedom, *which means* that the Christian leaders of Europe would not have turned against us as infidels like Pope Urban II who ordered the first crusade in 1095 where Crusaders massacred Jews in Worms and Speyer and Cologne and Mainz and like King Ferdinand and Queen Isabella of Spain who expelled us in 1492, *which means* that we would never have gotten to the Ottoman Empire just in time to open trading routes for the Sultan in Poland and begin the building of the vast and thriving Jewish life in Russia, Poland, and Lithuania, *which means* that the Jews who fled Spain to the north would not have gotten to Amsterdam just in time to share the fruits of the Dutch East India Company's voyages to the new world, finding places like Curacao, Martinique, Tobago, Barbados, and Jamaica which gave us a head start on getting all the good hotel rooms for the winter season, *which means* that when twenty-three Jews fleeing from the Inquisition in Recife Brazil landed in a Dutch colony at the mouth of the Hudson River called New Amsterdam in 1624 they would not have been let in because the governor of New Amsterdam was a raving anti-Semite named Peter Stuyvesant, however he received a fax from the Dutch East India Company saying in effect, "25 percent of the stock of this company is owned by Jews, are you nuts! Let the Jews in and treat them well, or you will be swabbing the deck on a pepper ship to Bombay," to which Peter Stuyvesant responded, "What would New York be without Jews, welcome to America, please name a high school after me!" *which means* that when Eastern Europe got really dangerous because the industrial revolution never got there and the economies of Russia and Poland were collapsing and pogroms like Kishinev swept the area in 1904 we would not have been able to move to America, *which means* that we would not have been able to start the garment industry, and eventually Ratner's, *which means* that we would not have been able to save a few bucks to find a nice apartment in Queens and move out of the tenements, *which means* that we would not have eventually decided that our kids need a yard and good schools, *which means* that we would not have been able to buy in the new Levitt development out at exit fifty of the Long Island Expressway in a place called Dix Hills which was really Melville but we called it Dix Hills because we thought it sounded tonier, and where Levitt sold some Jews a plot of land cheap to build a shul because he couldn't get zoning to build a strip mall, and where the shul fifteen years ago said, "I think this guy Gellman will be good for us," and where I said, "I think we will both be good for God" and where we were both right and where I have finally had a chance to explain to you that none of this would have happened if that stranger didn't meet Joseph in the fields and didn't ask him, *ma t'vakesh*, "What are you seeking?"

And what happened to Joseph in the fields happens to us in our lives. We meet angels and they change everything. The man who met Joseph in the fields of Shechem was of course not a man, he was an angel, or to say it more precisely, he was not only a man he was also an angel. Judaism has always taught that it is quite possible to be both at the same time.

The Bible is constantly confusing people with angels. Abraham receives three men into his house who suddenly deliver messages from God. Indeed the midrash recounts that the three men were three angels each with one errand (one to announce the birth of Isaac, one to destroy Sodom and Gomorrah, and one to save Lot) and the reason for this according to the midrash is that, "An angel is never sent on more than one errand at a time." Jacob at the Jabbok River wrestled with a man who suddenly turns out to be an angel and this man/angel changed Jacob's name to Israel, which means "one who wrestles with people and angels and who survives."

The reason for this confusion is simple. In Hebrew, the word for angel is *malach*, which means "messenger," and so for Judaism any person with a message from God is a *malach*, an angel. Now you must understand that there are two kinds of angels: the *malachim*, the angels who are human beings recruited into God's messenger service, and then there are the angels who inhabit the *olam habah*, heaven, and who are not and who never were human beings. These heavenly angels also communicate with us but their main role is to be minions of the Holy One Blessed Be He who inhabit the world to come always hovering close to the divine presence. Angels like Gabriel or Uriel or Uziel or Michael have specific names and functions and personalities. The Bible describes two angels with fiery swords standing guard at the entrance to the Garden of Eden, and other angels overpowered the prophet Ezekiel with powerful visions of a heavenly chariot, but they are all part of the *malachai hasharet*, the angels who serve God. These angels come equipped with wings and music and white robes and halos and with signs and fearful portents. They are very easy to spot in a crowd. They also tend to be terrifying. The poet Rilke wrote, "If the archangel now, perilous, from behind the stars took even one step down toward us, our own heart, beating higher and higher, would beat us to death." So all in all it is a good thing that there is a division of labor amongst the angels.

The angel who met Joseph in the field was not winged or terrifying, he was just a messenger angel—a man who was also an angel from God. Joseph surely did not know that this man was an angel, and the man himself may not even have known, yet he was a *malach*, a messenger bearing a message from God that was both important and fragile. Important

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because it was a message from God and hearing it changed Joseph's life, but fragile because Joseph might not have heard it. He could easily have dismissed the stranger's directions to Dothan, figuring that he might have confused his brothers with some other shepherds heading that way. Angels present us with a message but also a choice—the choice of whether or not we can hear the message.

I know that you risk appearing like some kind of new age goofball if you say you believe in angels, but I do believe in angels along with all of Judaism up to those German rationalist Reform Jews who starting in Frankfurt in 1823 introduced a lot of good things into Judaism and also killed a lot of good things that were already in Judaism. What they killed was everything that did not fit with the historicist and rationalist and idealist philosophies of nineteenth-century Germany. The idea that God revealed the Torah was rejected, Jewish mysticism was rejected, the world to come was rejected, angels were rejected, indeed for a while having a Torah scroll in a Reform Temple was also rejected. Unless you think Hegel, Fichte, Schelling, and Kant are the last word of human wisdom, and that the Prussian state was the epitome of human culture, you are going to have to move on, as our movement itself has done, and reclaim the authentic Jewish beliefs our movement ignorantly rejected and in doing so left us naked to the worst predations of secular humanism, positivism, and the spiritually desiccating equation of Judaism with political activism.

I want you now to reconsider your naive and erroneous belief that angels do not exist. If God's care and love for us is so strong that even the death of our bodies will not end that love, then the *olam habah* is real, and similarly if God did speak to us somehow someway through the Torah it is just not reasonable that the Torah is God's last word to us. God needs a way to speak to us, to chastise us, to direct us, to encourage us, and to nudge us. God has given each of us unique gifts, and God needs, from time to time, to show us how to use those gifts to help the world. One of the ways God does this is by sending angels into our lives to ask us the great short questions. Lincoln referred to "the better angels of our nature" and he was just right.

Look around you. Even in this secular culture we are in the middle of a literary and cultural angel explosion. Surveys indicate that almost 70 percent of Americans believe in angels. Five of the ten best selling paperback books are about angels. Tony Kushner won a Pulitzer Prize for his play *Angels in America*, in which an angel visits a man with AIDS. Harvard Divinity School even has a course on angels (which I will admit is one powerful argument *against* their existence).

But I do not believe in angels because the survey data support belief in them. I believe in angels because the Torah and our sages teach us that angels are real, and I believe in angels because I have met them just like Joseph met one in the fields of Shechem, and so have each and every one of you.

I want you to think about the angels who have come into your life. I want you to call to mind right now, among all the thousands of people you have met, those handful of people who clearly and absolutely changed your life for the better—not just parents and family, but often total strangers whose simple advice or gift or suggestion or admonition or question changed you forever. Perhaps it was the person who first gave you a book about science and sent you off on the road to become a scientist. Perhaps the person who told you that you would make a good lawyer or teacher or mother or friend or confidant at just the time when you had no intention of becoming anything like that. Perhaps it was the person who told you to watch out at just the time you needed to watch out. Perhaps it was the prayer in a hospital of a stranger who nobody saw on the floor but who came to your bedside and said everything is going to be all right and then it was all right even if the doctors did not understand why or how.

When we are about to lose our way it seems to me absolutely obvious and unarguably true that God will send someone into the fields of our lives to ask us, *ma t'vakesh*, "What are you looking for?" If there is such a God, and there is, then there are angels and there is a life after death where we will meet all of them and then you can slap your spiritual foreheads in wonder and say, "It was all true. Everything that Rabbi Gellman ever taught us was true." That is when you will know for sure what you may have some doubts about now, that there are angels sent to us by God along our way in this life, so that we will get the message that God would not give each of us special and unique blessings unless God wanted those blessings to be used.

Another purpose for angels is that God always needs to teach us how to listen better. Angels teach us how to listen because if you know that every person you meet might be an angel, you are going to listen to that person not just with the ears in your head but with ears in your soul. This is the reason I give to beggars. I know that my coins and dollars have probably bought crack and booze, but I still give because my money might, just might, have bought some baby food or diapers or soup, and I can't take the chance that I have stiffed an angel. Indeed rabbinic legends teach us that the Messiah will appear on earth as a beggar waiting for some act of kindness by a stranger before announcing himself. If you can learn to see street bums as potential Messiahs, you can learn to see angels when they meet you in the fields of your life.

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I want you to leave here and do something. I want you to write a letter to your angels. I want you to try to find a person/angel who came into your life at just the right time, and I want you to write that person a letter and say in your own words, thank you for appearing in my life and for changing everything for the good, for helping me to find what I did not even know I was looking for.

And then some day when I pray you are 120 and God takes your breath away, and your soul begins its glorious eternal life in the world to come, when the two angels with the fiery swords guarding the entrance to the Garden of Eden, the portal through which all souls must pass, say to your soul, "You can go right in," and when you arrive safely in the place where there are no questions only answers, no pain only love, no death only life, then this is what will happen, I believe. All the angels who have appeared in your life will appear before you then, and some of them will be holding the letter you wrote to them after this *yontif*, and they will embrace you, and you will know why, and they will say, and you will hear, "I didn't need the letter, but thank you anyway. Now let me tell you everything."

And they will tell you everything as they lead you into the green pastures beside the still waters where all the flocks have come home to rest and where all brothers and sisters and parents and children have found each other at last. They will explain that this is the place you have been looking for ever since the day you realized that the world is full of angels.

Ma t'vakesh. "What are you looking for?" FT

If God Is My Usable Past

If God is my usable past,
the part worth saving,
the minutes, episodes,
chance in-counters
when I measure the moment
by soul standard,
an inward counting
of worth and meaning—
the past
stumbled upon
or given as an outright gift
to which I first said no
then later yes
with a bless-me-now
petition of recognition
instead of my normal
grudge;
yes!
that usable past
as even bruised fruit preserves
and shriveling grapes store sweet wine;
Then
out of the past, O God,
let the useless become usable,
the broken repaired,
the lost found
as when the prodigal's *nowhere*
with a change of compass
becomes *now here*
at homecoming.

Warren L. Molton

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Ukraine: Christians in Conflict

Joseph R. Gregory

Kiev is a place whose buildings suggest that the time is out of joint. The decrepit concrete of the city's massive housing blocks humbly admit the failure of communism. The cross-topped, golden onion domes of its monasteries and churches tell of ancient traditions and enduring strengths. And the city's brassy new casinos and strip-bars boldly announce that the free market has liberated once-repressed vices. Today, more than five years after Ukraine declared independence from a splintering Soviet Union, Kiev is a cross between Chicago in the 1920s and Rome in the days of the Avignon Papacy—with scheming clergymen and angry churchgoers, ruthless gangsters and hard-eyed cops, corrupt officials, nouveau-riche businessmen, struggling workers, easy mores, and a sense that the future is up for grabs.

When the Parliament passed a new constitution last summer there were celebrations in the streets. But the day-to-day lot of most Ukrainians is a rough and tumble life in a country with rising inflation, high unemployment, and little security. Some ten million of Ukraine's fifty-two million people are ethnic Russians and many of them, and even many full-blooded Ukrainians, miss the stability of the days when they were known as "Little Russians." Others recall the horrors of Soviet oppression and mismanagement and look to the West and to the free market as the key to the future. Political leaders of both views claim that history is on their side. For many Ukrainians, national identity is inextricably linked with Kiev's legacy as the birthplace of Slavic Christianity. But religion and nationalism are now joined in a fierce battle between three rival Patriarchs vying for the leadership of Ukraine's perhaps thirty-five million Orthodox Christians.

This battle has already produced its own strange monument, a sarcophagus of fine marble that lies incongruously on the sidewalk just outside the entrance to St. Sofia, the ancient cathedral that has been a state museum since Soviet times. The sarcophagus marks what may be the final resting place of Volodymyr, Patriarch of Kiev, who was hastily buried under the cobblestones there on July 18, 1995, when his funeral erupted into a riot. The violence broke out after security police, acting on the orders of the government of President Leonid Kuchma, denied the mourners permission to inter the Patriarch on cathedral grounds. The government feared that if it permitted the mourners to enter the cathedral—as sacred to Orthodox believers as St. Peter's is to Roman Catholics—that it would be accused of taking sides in the battle for church leadership. But the strategy backfired. At least two people were killed, dozens more injured, and videotapes of Orthodox clergymen and nationalist militia battling riot police were broadcast repeatedly on Ukrainian news programs.

In an attempt to calm the passions of "Black Tuesday," as the riot came to be known, the government last July replaced the makeshift grave with a marble sarcophagus, even as it declared that it would uphold the new constitution—which guarantees the equality of all religions before the law.

Anatoly Koval, the head of a government commission charged with easing the frictions among the more than seventy religious sects that have sprouted in Ukraine since the collapse of communism, sees the sarcophagus as an ideal compromise. To Patriarch Filaret of Kiev, the successor to Volodymyr, it is a propaganda victory. But to his rivals, Patriarch Dimitri Jarema of the Ukrainian Autocephalous Orthodox Church, and Metropolitan Volodomyr Sabodan of Kiev, the representative of Patriarch Aleksy II of Moscow, the leader of the Russian Orthodox Church, the marble grave is an abomination.

Others see it as a tourist attraction. "Many medieval princes did not have such a fine tomb," Archbishop Adrian of Noginsk, Russia, said recently

JOSEPH R. GREGORY *is a writer living in New York.*

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after he led a brief prayer service for a group of more than a dozen people who had ridden all the way from their parish outside Moscow. It was a warm Sunday and, as usual when the weather is good, many people had gathered to pay their respects. As the people from Russia drove off in a rickety bus to continue their tour of the holy sites of Kiev, Zoya Gorpeniuk, the former secretary to Patriarch Volodymyr who tends the flowers brought by well-wishers, watched with disapproval as the archbishop and three other priests got into a four-door sedan. "That priest is just a businessman," she said.

The suspicion of clergymen is not uncommon. During Soviet times many high-ranking priests provided information to the KGB. Today, critics of Patriarch Filaret accuse him of having been an informant during his days as a leading clergyman in the Russian Orthodox Church. They say he is an opportunist who left the Russian church when he saw the chance to become a leader in the breakaway Kiev Patriarchate of the Ukrainian Orthodox Church, under Volodymyr.

After Volodymyr died from a heart attack, Filaret was named Patriarch of Kiev. But to the old babushkas gossiping around the grave of his predecessor, Filaret's past is tainted. They say he kept women, and that the old Patriarch died under suspicious circumstances.

Mrs. Gorpeniuk scoffs at such gossip. She allows that many priests were tainted in Soviet times and that today many have become corrupted by the taste of power. But, she said, the Patriarch Volodymyr was not like that. As a young priest, Basil Romaniuk, the future Patriarch was an outspoken dissident, a man who spent twenty years in the Gulag and in exile in Canada. In 1990 he returned to Ukraine and in 1992, after the Ukrainian Orthodox Church split with the Russian Orthodox Church, he became Patriarch of Kiev. "The material side didn't interest him," she said. "The spiritual side was more important."

As she spoke an elderly man and three elderly woman were talking loudly. The thread of their argument was unclear, but the man was shouting about Moscow and about efforts by the Russian Orthodox Church to dominate the Ukrainian church.

One of the women, who declined to give her name, said they were angry over the Patriarch's burial place. "It is unbelievable that they permit him to be buried here, especially such a high-ranking clergyman," she said. "A lot of people in Ukraine do not want Ukraine to be independent," she said, adding that the riot police had come "under the orders of those forces who want to put Ukraine on its knees."

The word "Ukraine" means borderland, and for centuries Kiev was the capital of a buffer state on the edge of the Russian and Soviet empires. Long before the czars, it was the seat of a powerful empire. Legend says that the Apostle Andrew sailed up the Dnieper from the Black Sea and preached to the tribesmen who lived on the riverbank, predicting that one day they would build a powerful, holy city. Christianity did not come until 988, when Volodymyr the Great ordered a mass baptism of his people in the river. Within a century, the foundation of St. Sofia was laid, and the cathedral became the burial place of church leaders and saints.

The empire of Kievan Rus collapsed under the Mongol invasion, and in later centuries pieces of Ukraine were devoured by the Russian, Polish, and Austro-Hungarian empires. In the east, the Russian czars, jealous of the religious power of Kiev, made the Moscow Patriarchate and the Russian Orthodox Church the dominant force of eastern orthodoxy. The rise of Ukrainian nationalism in the nineteenth century coincided with the development of the Ukrainian Autocephalous (self-ruling) Orthodox Church. After the Russian Revolution of 1917, Ukraine won a brief independence and many believers abandoned the Russian Patriarchate for the Ukrainian church. But in 1924, Ukraine came once more under Russian rule. The Autocephalous Church was suppressed in the early 1930s, when Stalin engineered the famine and political repression that took the lives of millions of Ukrainians. "The death of one man is a tragedy," Stalin is said to have remarked. "The death of millions is a statistic." The precise figures remain elusive, but some scholars put the number of dead as high as ten million.

But the Kremlin permitted the Russian Orthodox Church to survive. The Soviets found it easier to control one state-sanctioned religion than to permit the existence of many. Besides, the Russian church proved useful in rallying people against the Nazis, and the power of Kiev's religious heritage was impossible to deny. Even the upraised sword of the statue of victory on the monument to the dead of the Great Patriotic War could not be taller than the tallest tower of Percherska Lavra, the medieval monastery on the hills overlooking the Dnieper.

As the Soviet Union frayed, the force of religion strengthened. By the time Ukraine became independent in August 1991, many Ukrainian believers and even some ethnic Russians within the new country had abandoned the Russian church. In an attempt to stem the defections, the Moscow Patriarchate changed the status of the Russian Orthodox Church in Ukraine. It would now be known as the Ukrainian Orthodox Church, and the Kiev Metropolitan, while remaining under the broad authority of the Moscow Patriarchate, would have the power to make decisions on matters within Ukraine itself.

But amid the nation's turbulent rebirth, this arrangement proved unsatisfactory. The Ukrainian Orthodox Church broke with Moscow and established its own Patriarchate in Kiev. Although its legitimacy was not universally recognized, the

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Ukrainian Orthodox Church drew many adherents, from traditional believers to hard-line nationalists. The Autocephalous Church, which had been kept alive by Ukrainian expatriates overseas, united briefly with the Ukrainian Orthodox Church, then broke with it. Soon all three churches were competing for parishioners.

And Ukraine's politicians, loosed in the strange new world of democracy, were competing for votes. Leonid Kravchuk, a Communist turned hard-line nationalist, became the country's first president, drawing support from the Ukrainian Orthodox Church. Unlike Kravchuk, Leonid Kuchma, who won the presidency in 1994, was a strong opponent of establishing a state religion. He also took a more conciliatory approach to Russia and counted among his supporters many members of the Russian Orthodox Church.

When Patriarch Volodymyr died on July 14, 1995, the religious issue was put to the test. Under the guidance of Filaret, who would be named Patriarch that October, the church demanded that the Patriarch be buried within the grounds of St. Sofia. The government refused.

"St. Sofia is the ultimate prize when it comes to churches in the whole former Soviet Union," said Serhii Plokhy, director of Ukrainian church studies at the University of Alberta in Edmonton. "The Kiev Patriarchate wanted to use the funeral to establish itself in St. Sofia."

Under canon law, the Patriarch had to be buried within four days, but church and state negotiators failed to agree on his burial place. On July 18, a funeral service at St. Volodymyr's Cathedral was attended by some one thousand mourners, including parliamentary deputies and prominent politicians. Former President Kravchuk was in attendance, as were Peoples Deputies from the nationalist Ukrainian Republican Party, Ruk, the mainline nationalist, pro-European party in Parliament, and the Ukrainian National Assembly/Ukrainian National Self Defense Organization, the hardline nationalist militia known as Una-Unso.

After the service, the mourners took the coffin and marched toward St. Sofia Square. Along the way they were blocked by government riot police forces known as the Berkut, armed with plexiglass riot shields, helmets, and billy clubs, under the command of a general who was an ethnic Russian. There was a brief clash, but the mourners pressed on to St. Sofia Square, where they waited outside the cathedral gates as negotiations continued.

As the afternoon passed, Una-Unso militiamen and others who had come with pickaxes and shovels began to dig up the cobblestones. By 7 P.M., as dusk drew near, the coffin was lowered into the ground, but when the militiamen began to cover the grave, riot police burst through the gates, firing salvos of tear gas. The square erupted in chaos. Clergymen and mourners were beaten. Many fought back. One militiaman was beaten to death, another later died of his wounds. At least thirty were arrested. But the mourners held their ground, guarding the grave through the night. The government, horrified by the violence and the publicity, ordered the police to desist and opened an inquiry.

The Interior Ministry blamed the Una-Unso militiamen for provoking the violence. Many mourners blamed the police. "It is like an eternal question," said Mr. Koval of the religious affairs commission. "It is not clear so far who started the disturbances, and we have agreed that both sides started it at the same time."

In an interview, Patriarch Filaret distanced himself from Una-Unso, saying that any militiamen at the funeral were there on their own and that the organization was not officially invited. He added, however, that were it not for their support, the Patriarch would not have been buried on cathedral grounds. "The fighting was the fault of the state," he said, asserting that the government funding for the sarcophagus was an admission of guilt. "The state has to do something not to look guilty."

He also dismissed the complaints of those who claim that he wants to create a state church, but at the same time asserted that Ukraine needs an independent church, free from Moscow and Russian attempts to dominate Ukraine. "The church," he said, "will educate the society in national patriotic spirit and in Christianity."

Asked about the claims of his enemies that he had a mistress and had worked as a KGB informant, he said "these rumors are aimed to spoil my image in the eyes of society." The talk of women is untrue, he said. "As to the KGB, all clergymen had such contacts during the times of Soviet power and I was not excluded. Nobody could become a bishop if he did not have contacts with this organization." He asserted that Metropolitan Sabodon, Patriarch Aleksy of Moscow, and Patriarch Jarema all had such contacts.

Indeed, such accusations carry little weight in a society that has not forgotten that opposition to the old regime could mean death or imprisonment or the cutting off of one's livelihood. "Everyone did it," Victor Chudowsky, a visiting American scholar, said of life under the Soviets. "There was an understanding among people here that they believed what they believed privately, but that they would say and do what they had to say and do in order to get along."

Perhaps because of this tradition, many believers are removed from the struggles of orthodox leadership. Precise statistics on the number of adherents within each church are difficult to come by. The Russian Orthodox Church has some 6,500 parishes, according to the State Committee on Religious Affairs. The Kiev Patriarchate claims 1,300, and the

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Autocephalous Church about 1,200. In recent months, however, the tide appears to have turned toward the Kiev Patriarchate, as many of the main parishes in western Ukraine that had followed Jarema have switched to Filaret.

While Patriarch Jarema of the Autocephalous Church speaks angrily about both his rivals, Metropolitan Sabodan of the Russian church is more conciliatory, noting that Christians have often been divided by factionalism and politics. "We should take the necessary steps to coexist peacefully," he said in an interview. "We all live on the same land. We all have rights, and we all have to fulfill our social and religious duties." He added that he has often given sermons on the need for reunification, even though his followers have had to contend with the aggressive tactics of Una-Unso. On some occasions, he added, his priests have gotten into shoving matches, and even brawls, with the militiamen.

Although the Autocephalous Church and the Kiev Patriarchate united briefly at one point, and there was later talk of a reconciliation with Moscow, Patriarch Jarema today remains hostile to Moscow as well as to Filaret. He says the Patriarch Volodymr was an old friend whose funeral was callously manipulated "at the orders of Filaret and Kravchuk to humiliate the new president." He remains equally suspicious of the Russian Patriarchate. "The Russian church," he said, "is one of the most efficient organizations of subordination."

Although the antipathy among the three leaders remains virulent, the split may ultimately benefit Ukraine. After all, it has undercut efforts to establish a state religion that would play into the hands of the country's hard-line nationalists. If all Orthodox Christians were to unite, the Orthodox Church would be easily the largest. But unification remains unlikely. The Ecumenical Patriarchate in Constantinople—the first among equals among Orthodox patriarchates—will not recognize the legitimacy of the Kiev Patriarchate unless Moscow grants it freedom, something the Moscow Patriarchate is unlikely to do.

"There is a lot of historical irony given the fact that the Kiev Patriarchate was the mother church of the Moscow church," says Serhil Plokhy of the Ukrainian church studies center in Edmonton. "Now Kiev is in the position of having to ask Moscow for independence."

There are other ironies as well. The church that struggled to survive the Communists now has the freedom many of its people suffered and died for. Yet its leaders remain uncomfortable with that freedom. They say they are committed to religious pluralism, yet in interviews all three expressed reservations about allowing Mormons, Hari Krishnas, and missionaries of other alien faiths to enter Ukraine. At a time when many Ukrainians are trapped between the failed promises of Marxist utopianism and the often harsh realities of Western materialism, the Orthodox Church is in a position to offer the best aspects of tradition. But the church's internal strife undermines faith in that tradition and undercuts its ability to help alleviate the spiritual anxiety and economic suffering brought on by the painful transition to a democratic, free-market society. FT

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Theories of Evolution

John Paul II

Address to the Pontifical Academy of Sciences, October 22, 1996

1. In celebrating the sixtieth anniversary of the academy's refoundation, I would like to recall the intentions of my predecessor Pius XI, who wished to surround himself with a select group of scholars, relying on them to inform the Holy See in complete freedom about developments in scientific research and thereby to assist him in his reflections.

He asked those whom he called the Church's *senatus scientificus* to serve the truth. I again extend this same invitation to you today, certain that we will be able to profit from the fruitfulness of a trustful dialogue between the Church and science.

2. I am pleased with the first theme you have chosen, that of the origins of life and evolution, an essential subject which deeply interests the Church, since revelation, for its part, contains teaching concerning the nature and origins of man. How do the conclusions reached by the various scientific disciplines coincide with those contained in the message of revelation? And if, at first sight, there are apparent contradictions, in what direction do we look for their solution? We know, in fact, that truth cannot contradict truth. Moreover, to shed greater light on the Church's relations with science between the sixteenth and eighteenth centuries is of great importance.

During this plenary session, you are undertaking a reflection on science at the dawn of the third millennium, starting with the identification of the principal problems created by the sciences and which affect humanity's future. With this step you point the way to solutions which will be beneficial to the whole human community. In the domain of inanimate and animate nature, the evolution of science and its applications gives rise to new questions. The better the Church's knowledge is of their essential aspects, the more she will understand their impact. Consequently, in accordance with her specific mission, she will be able to offer criteria for discerning the moral conduct required of all human beings in view of their integral salvation.

3. Before offering you several reflections that more specifically concern the subject of the origin of life and its evolution, I would like to remind you that the magisterium of the Church has already made pronouncements on these matters within the framework of her own competence. I will cite here two interventions.

In his encyclical *Humani Generis* (1950), my predecessor Pius XII had already stated that there was no opposition between evolution and the doctrine of the faith about man and his vocation, on condition that one did not lose sight of several indisputable points.

For my part, when I received those taking part in your academy's plenary assembly on October 31, 1992, I had the opportunity with regard to Galileo to draw attention to the need of a rigorous hermeneutic for the correct interpretation of the inspired word. It is necessary to determine the proper sense of Scripture while avoiding any unwarranted interpretations that make it say what it does not intend to say. In order to delineate the field of their own study, the exegete and the theologian must keep informed about the results achieved by the natural sciences.

4. Taking into account the state of scientific research at the time as well as of the requirements of theology, the encyclical *Humani Generis* considered the doctrine of "evolutionism" a serious hypothesis, worthy of investigation and in-depth study equal to that of the opposing hypothesis. Pius XII added two methodological conditions: that this opinion should not be adopted as though it were a certain, proven doctrine and as though one could totally prescind from revelation with regard to the questions it raises. He also spelled out the condition on which this opinion would be compatible with the Christian faith, a point to which I will return.

Today, nearly half a century after the publication of the encyclical, new knowledge leads to the recognition of the theory of evolution as more than a hypothesis. It is indeed remarkable that this theory

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has been progressively accepted by researchers following a series of discoveries in various fields of knowledge. The convergence, neither sought nor provoked, of the results of work that was conducted independently is in itself a significant argument in favor of this theory.

What is the significance of such a theory? To address this question is to enter the field of epistemology. A theory is a metascientific elaboration distinct from the results of observation, but consistent with them. By means of it a series of independent data and facts can be related and interpreted in a unified explanation. A theory's validity depends on whether or not it can be verified; it is constantly tested against the facts; wherever it can no longer explain the latter, it shows its limitations and unsuitability. It must then be rethought.

Furthermore, while the formulation of a theory like that of evolution complies with the need for consistency with the observed data, it borrows certain notions from natural philosophy.

And, to tell the truth, rather than *the* theory of evolution, we should speak of *several* theories of evolution. On the one hand, this plurality has to do with the different explanations advanced for the mechanism of evolution, and on the other, with the various philosophies on which it is based. Hence the existence of materialist, reductionist, and spiritualist interpretations. What is to be decided here is the true role of philosophy and, beyond it, of theology.

5. The Church's magisterium is directly concerned with the question of evolution for it involves the conception of man: Revelation teaches us that he was created in the image and likeness of God. The conciliar constitution *Gaudium et Spes* has magnificently explained this doctrine, which is pivotal to Christian thought. It recalled that man is "the only creature on earth that God willed for itself."

In other terms, the human individual cannot be subordinated as a pure means or a pure instrument either to the species or to society; he has value per se. He is a person. With his intellect and his will, he is capable of forming a relationship of communion, solidarity, and self-giving with his peers.

St. Thomas observes that man's likeness to God resides especially in his speculative intellect, for his relationship with the object of his knowledge resembles God's relationship with what he has created. But even more, man is called to enter into a relationship of knowledge and love with God himself, a relationship which will find its complete fulfillment beyond time, in eternity.

All the depth and grandeur of this vocation are revealed to us in the mystery of the risen Christ. It is by virtue of his spiritual soul that the whole person possesses such a dignity even in his body. Pius XII stressed this essential point: If the human body takes its origin from pre-existent living matter, the spiritual soul is immediately created by God.

Consequently, theories of evolution which, in accordance with the philosophies inspiring them, consider the spirit as emerging from the forces of living matter or as a mere epiphenomenon of this matter are incompatible with the truth about man. Nor are they able to ground the dignity of the person.

6. With man, then, we find ourselves in the presence of an ontological difference, an ontological leap, one could say. However, does not the posing of such ontological discontinuity run counter to that physical continuity which seems to be the main thread of research into evolution in the field of physics and chemistry? Consideration of the method used in the various branches of knowledge makes it possible to reconcile two points of view which would seem irreconcilable.

The sciences of observation describe and measure the multiple manifestations of life with increasing precision and correlate them with the time line. The moment of transition to the spiritual is not the object of this kind of observation, which nevertheless can discover at the experimental level a series of very valuable signs indicating what is specific to the human being. But the experience of metaphysical knowledge, of self-awareness and self-reflection, of moral conscience, freedom, or again, of aesthetic and religious experience, falls within the competence of philosophical analysis and reflection, while theology brings out its ultimate meaning according to the Creator's plans.

7. In conclusion, I would like to call to mind a Gospel truth which can shed a higher light on the horizon of your research into the origins and unfolding of living matter. The Bible in fact bears an extraordinary message of life. It gives us a wise vision of life inasmuch as it describes the loftiest forms of existence. This vision guided me in the encyclical which I dedicated to respect for human life and which I called precisely *Evangelium Vitae.*

It is significant that in St. John's Gospel life refers to the divine light which Christ communicates to us. We are called to enter into eternal life, that is to say, into the eternity of divine beatitude.

To warn us against the serious temptations threatening us, our Lord quotes the great saying of Deuteronomy: "Man shall not live by bread alone, but by every word that proceeds from the mouth of God."

Even more, "life" is one of the most beautiful titles which the Bible attributes to God. He is the *living God.*

I cordially invoke an abundance of divine blessings upon you and upon all who are close to you. PCV

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Review Essay

Homosexuality and Truth

Elizabeth Moberly

Strangers and Friends. By Michael Vasey. *Hodder & Stoughton (London). 276 pp. No U.S. price available.*

Homosexuality and the Politics of Truth. By Jeffrey Satinover. *Baker. 281 pp. $17.99 paper.*

The Truth About Homosexuality. By John F. Harvey, OSFS. *Ignatius. 368 pp. $17.95 paper.*

Straight and Narrow? By Thomas E. Schmidt. *InterVarsity. 240 pp. $10.99 paper.*

Homosexuality: A Freedom Too Far. By Charles W. Socarides. *Adam Margrave. 321 pp. $27.*

Unwanted Harvest? By Mona Riley and Brad Sargent. *Broadman & Holman. 209 pp. $12.99 paper.*

Craving for Love. By Briar Whitehead. *Monarch. 320 pp. Out of Print.*

It's not that unusual a sight: demonstrators gathered outside a meeting hall, protesting the treatment of homosexuals. The curious thing about the protests at the American Psychiatric Association's 1994 meeting in Philadelphia, however, is that the demonstrators were a group of *ex*-gays, demanding that the delegates recognize the right to therapeutic help for those who wish to cease to be homosexuals.

During the early 1970s, gay activists had made a number of disruptive demonstrations at professional meetings, placing considerable pressure on psychiatrists to revise their designation of homosexuality as a disorder treatable by psychiatry. In 1973, the board of the American Psychiatric Association voted to change the classification of homosexuality in its *Diagnostic and Statistical Manual of Mental Disorders.* The members of the APA who specialized in treating homosexuals protested the board's decision, but immediately before a general referendum on the issue, a letter went out in the name of the board, urging APA members not to reverse the board's decision. It was not known until after the vote that this letter was in fact written and paid for by the National Gay Task Force, and the final tally in the referendum upheld the board's decision to reclassify homosexuality. The 1973 decision was based not on any advance in scientific or medical knowledge. It occurred instead as a result of successful gay lobbying—and a considerable body of psychological data on homosexuality was dismissed as no longer relevant.

There is a certain irony in the fact that gay activists and their supporters now often claim the authority of the APA for the view that homosexuality is not a psychological problem. Michael Vasey, for instance, in his new work, *Strangers and Friends,* insists that the reclassification was "not the result of some 'liberal' conspiracy," but instead "represents the recognition that there is nothing intrinsic to a homosexual orientation that makes it psychologically disordered." On both points he is mistaken. The APA decision was in fact far from unanimous, and it was arrived at largely on sociopolitical grounds.

This pattern of pressuring institutions and researchers to produce results favorable to homosexuals and then claiming the results as objective evidence occurs again and again in pro-gay literature, and is perhaps one of the most curious features of scholarship in our times. Vasey acclaims, for instance, the late John Boswell, who suggested in his work *Same-Sex Unions in Pre-Modern Europe* that Christian liturgies once included rites for the celebration of same-sex unions. Despite their dismissal by

Elizabeth Moberly *is retired from ministry to homosexuals as Director of Psychosexual Education and Therapy for BCM International. She is the author of* Psychogenesis *and* Homosexuality: A New Christian Ethic. *Dr. Moberly is currently working full-time in cancer research.*

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serious historians (see Robin Darling Young, "Gay Marriage: Reimagining Church History," FT, November 1994), Boswell's conclusions are often cited in pro-gay circles, where they are proclaimed as evidence of longstanding Christian endorsement of homosexual relationships. The material on which Boswell built his case is the little-known "sacrament of brotherhood" of the Eastern Orthodox Church, which provides a blessing of friendship for persons of the same sex or opposite sexes. Of course, by declaring the persons to be siblings, the ritual actually succeeds in prohibiting sexual contact as incest. But neither accuracy nor logic is much the point of a book like *Same-Sex Unions in Pre-Modern Europe.* Boswell's revisionism was driven first by a desire to find the acceptable result, and has been subsequently proclaimed as independent proof—even by someone like Vasey, a tutor in liturgical studies who ought to know better.

One place to go for help in sorting out the good scholarship from the politically driven is *Homosexuality and the Politics of Truth,* by psychiatrist Jeffrey Satinover. Satinover wisely distinguishes his reaction to homosexual politics from his reaction to homosexuals, who require compassion in their emotional pain and their loneliness. In gay politics, however, Satinover sees "disregard for others and disregard for the truth." He asserts that "too often gay activism follows the dictum that desired ends justify all means," as even conscientious disagreement with the claims and tactics used by gay activists is dismissed as "homophobia." On three particular propositions of the gay activists—that homosexuality is biologically innate, psychologically irreversible, and sociologically normal—Satinover concentrates his attention.

Recent claims for a biological origin of homosexuality essentially began in the summer of 1991, with *Science* magazine's publication of Dr. Simon LeVay's study of variations in the brains of deceased homosexuals. LeVay's work received enormous attention, even though the prevailing scientific view had been against a biological origin. (The sex researchers Masters and Johnson declared in 1979 that homosexuals are "homosexually oriented by learned preference," adding in 1985, "The genetic theory of homosexuality has been generally discarded today.") Satinover notes that LeVay's conclusions are far from substantiated. The fundamental criticism is of LeVay's methodology in classifying his dead subjects, for, as Satinover rightly points out, cadavers cannot be interrogated about their prior sexual activity. Satinover might have made the point even more forcefully by observing that LeVay had no way even to know that the heterosexuals in his control group were in fact heterosexuals. In an endnote, LeVay admits as much: "They are assumed to have been mostly or all heterosexual on the basis of the numerical preponderance of heterosexual men in the population." But much popular and even scientific reporting of LeVay missed the point. (As it was also missed in reporting about a second brain study in 1992 by Allen and Gorski, who themselves noted of their study, "Heterosexual orientation was only assumed, rather than specified. . . . Clearly, subjects who were classified as heterosexual may not have been.")

Similarly, Satinover shows the flaws in recent studies that claimed a biological origin for homosexuality by analyzing the behavior of twins. He points out the obvious shortcomings of Bailey and Pillard's 1991 and 1993 studies of twins: the identical environments in which the twins were raised, the unrepresentative sample, the fact that the sexual orientation of the nonrespondent twin was often assessed by report of the sibling, rather than by self-report. Even the results that Bailey and Pillard reported—an approximately 50 percent concordance for homosexuality in identical twin pairs, when genetic characteristics in monozygotic twins would seem to require a 100 percent concordance—means that media accounts were seriously exaggerated. The 1992 British study of King and McDonald found even lower rates of concordance, and Satinover notes their conclusion that "genetic factors are insufficient explanation of the development of sexual orientation." King and McDonald's work suggests the importance of early experience and subsequent repetition, especially childhood incest, in fostering later homosexuality.

Satinover offers analysis of many other points relevant to the biological debate on homosexuality. His book is a fine resource for all who wish to assess and respond to the claims made by "gay science." He does perhaps rely too much on the argument which suggests that if it can be shown that homosexual orientation is not innate, then it must be a choice. Satinover is aware of the alternative view that homosexuality is a non-innate development, caused by early trauma and the breakdown in bonding between the child and the same-sex parent in the early years of life. But he does not distinguish it sufficiently from homosexuality as chosen.

It seems inappropriate to speak of *choice* for a child hurt by early abuse or emotional rejection. A two-year-old boy who loses his father, or a five-year-old boy who is molested, will carry his unmet need for masculine love and affirmation into his adult years. With biological maturation, this need for love may be inappropriately eroticized—with a pre-adult developmental lack carried into adulthood and inappropriately met with sexual activity. The adult homosexual does, of course, have choices—to remain celibate, to engage in sexual activity, or to seek therapy to resolve the unfinished business of childhood. But the homosexual orientation itself, though not innate, remains something the adult may not have chosen.

Beyond his biological discussion, Satinover has

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much to say about secular and religious treatments for homosexuality, reporting that the rate of success in treating homosexuality is comparable to the rate in treating every other psychological condition. There is good (if somewhat incomplete) discussion of such organizations as Homosexuals Anonymous and Exodus International, and of the courageous work of Andy Comiskey and Leanne Payne. He includes a welcome chapter on homosexuality and Judaism, and a lengthy concluding discussion of values and society, with a particular contrast between ethical monotheism and the contemporary resurgence of paganism—which affects so much in our society besides the issue of sexuality.

A hero of the ex-gay movement is Father John Harvey, author of *The Truth about Homosexuality*. A Roman Catholic priest for over fifty years, Fr. Harvey is the author of an earlier book, *The Homosexual Person* (1987), and the founder of Courage, a steadily growing support group for Roman Catholic homosexuals. With a primary focus on abstinence from sexual activity (rather than change of sexual orientation), the meetings of Courage are heavily imbued with Catholic spirituality, with prayer, sacraments, and spiritual direction of great importance.

With some supplementary material by other contributors, Fr. Harvey's latest work is a helpful resource for understanding the various issues involved in ministries to homosexuals. Excellent appendices were prepared by Drs. Maria Valdes and Rick Fitzgibbons, both of whom have many years of experience in helping homosexual clients. A chapter by Father Jeffrey Keefe—critiquing recent biological studies on homosexuality and outlining some of the psychodynamic factors in homosexuality—emphasizes that hundreds of mental health professionals continue to believe that homosexuality is a condition of emotional woundedness that deserves and responds well to voluntary therapeutic intervention.

Fr. Harvey's book surveys the work of various lay counselors and Christian therapists. The two most prominent ministries to homosexuals—Homosexuals Anonymous Fellowship Services, Box 7881, Reading, PA 19603 (610-376-1146) and Exodus International, Box 77652, Seattle, WA 98177 (206-784-7799)—are both nationwide networks of Christian ministries to homosexuals. The book is a veritable roll-call of those involved in ministry to homosexuals. The Dutch psychologist Dr. Gerard van den Aardweg focuses on issues of self-pity and feelings of inferiority. Dr. George Rekers comments on childhood gender nonconformity. Mention is made of Drs. Ismond Rosen, Charles Socarides, Joseph Nicolosi, and Lawrence Hatterer. Within the Christian community, there is Leanne Payne, who utilizes healing prayer for homosexuals; William Consiglio, who shows how homosexuals may respond to emotional triggers and set-ups; and Exodus leaders such as Bob Davies, Lori Rentzel, Joe Dallas, Frank Worthen, and Alan Medinger.

Fr. Harvey's otherwise admirable work emphasizes the Roman Catholic view that homosexual orientation itself is "objectively disordered," which may strike non-Catholics (such as the present reviewer) as an unfortunate blurring of the distinction between conditions and behaviors. But his book remains enormously helpful for anyone interested in the topic, covering in encyclopedic fashion many issues of homosexuality—devoting, for instance, a chapter to women's issues, critiquing pro-gay authors and studies, dismissing Boswell as having only a "facade of scholarship," and discussing important issues of religious freedom.

A recent evangelical contribution to the homosexual debate is Thomas E. Schmidt's *Straight and Narrow?* Schmidt's opening chapters in particular are marked by his deep concern and empathy for the human beings caught in homosexuality, avoiding the judgmentalism that sometimes mars evangelical perspectives. He makes a credible attempt to do justice to pro-gay arguments, while clearly disagreeing with them.

Schmidt gives helpful critiques of Boswell and the revisionist view of the Sodom story (making the rounds in theological circles) that sees inhospitality—not attempted rape—as the sin involved. (As one commentator tartly remarked in a midwestern radio interview, it certainly is inhospitable to rape one's guests—but the issue is still rape, and not just lack of hospitality.) He comments on the mistaken Kinsey statistics, promiscuity and health problems, theories of biological causation, and offers a limited survey of recent Christian literature on homosexuality.

When Schmidt comes to discuss the recruitment of homosexuals, he correctly identifies the influence of values and culture. He relies too heavily, however, on the fact of childhood molestation. Molestation may add to the development of a homosexual orientation, but the primary factor seems to be rather the relation to the father. For instance, child molesters are known to have a flair for picking out children who are lonely and hungry for affection, and a boy with an inadequate relation to his father is thus vulnerable to molestation. But in these cases the breakdown in the father-son relation precedes the molestation, and the molester's recruitment of the child is secondary. The question of "recruitment," I believe, tends to be raised on the basis of inadequate information—and sometimes as a deliberate scare tactic by unscrupulous anti-homosexual activists. If the possibility of homosexuality appears when the boy's early relationship with his father breaks down, there will be those who (as a result of their own condition) try to take advantage of the situation by molesting the child. But this does not constitute a deliberate attempt at recruit-

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ment, and it is addressed not by attacks on homosexuals but by strengthening the bonds of the family.

Subtitled "A psychoanalyst answers 1,000 questions about causes and cures and the impact of the gay rights movement on American society," *Homosexuality: A Freedom Too Far* is the latest work by the distinguished psychoanalyst Dr. Charles Socarides. Socarides' outstanding contribution is in the area of the politics of homosexuality, the politics that has moved us, as he mordantly observes, "from the love that dare not speak its name to the love that can't shut up—in barely twenty-five years." Socarides is able to give a detailed and insightful discussion of gay politics, and his book stands as a must-read resource for everyone concerned with the homosexual issue.

Offering his insights into the impact of homosexuality on education, AIDS, the military, and much else besides, Socarides naturally has a great dealt to say about the origin and treatment of homosexuality. His analysis, however, remains a little disappointing, for his views have remained largely unchanged since the 1960s. Like other earlier clinicians, he focuses primarily on the mother-son relationship of the male homosexual: "Their unconscious fears are fears of women"; "An obligatory homosexual has a deep fear of women, fears of engulfment by his mother's body"; "So many of my patients had over-controlling, suffocating mothers."

Socarides does acknowledge that "given a good father-son relationship, no boy develops a homosexual pattern." But he settles for an essentially secondary role for the father: "If the father is around and asserts himself, that will inhibit the influence of an over-controlling mom." More recent therapists working in the field have made a major shift of emphasis away from the "mother fixation" of standard psychoanalytic theory from Freud onwards. The mother-son bond is what is left when the father-son bond has been disrupted. But the disruption of the father-son bond is what results in homosexuality.

Homosexuality: A Freedom Too Far has a similarly old-fashioned understanding of "reparative therapy," which strictly speaking should only be applied to therapy based on the belief that same-sex love is an inherent reparative drive and that a same-sex therapist should focus on same-sex issues to resolve the underlying gender identity conflict. Socarides tends to apply the term more loosely to any form of therapy that seeks to modify a homosexual's sexual identity. In general, however, his book remains an interesting and helpful guide to the conflicts between the (somewhat dated) views of the psychoanalytic establishment and the gay activists who brought their political muscle to bear on them.

Brief mention should be made of another helpful and sensitive Christian study: *Unwanted Harvest?* by Mona Riley and Brad Sargent. It takes its stand on "compassion without compromise," and offers encouragement and helpful guidelines for Christians to reach out to persons with homosexual concerns. Insisting that the nature of one's response is "critical to encouraging their healing and walk with God," it is a valuable addition to any library on homosexuality.

I want also to mention a book—*Craving for Love*, by the New Zealand writer and journalist, Briar Whitehead—that appeared in England in 1993 and never found an American publisher. Standing head and shoulders above many other recent works on homosexuality, it is indispensable reading for anyone concerned with the homosexual issue, and should be brought back into print as soon as possible, especially in North America.

Homosexuality continues to be one of the major issues of the late twentieth century. We have a number of valuable contributions to the debate, but I wish to challenge everyone concerned to ground their analyses on two essential principles: respect for truth and respect for people.

By "respect for people," I mean the refusal of vilifying or demonizing. People on both sides of the debate need to make strenuous efforts to defuse their hostility and to demythologize their understanding of each other as "hate-filled bigots." This implies no loss of moral seriousness. It is entirely likely that major disagreements will remain. But the atmosphere of the debate urgently needs to be imbued with a deep respect and concern for all the people involved.

By "respect for truth," I mean that the debate must consider truth a higher principle than politics or expediency or fashion. Neither side should make inflated claims or distort data. Both sides need to be frank about their own shortcomings. Truth-seeking also implies an essential concern not to misrepresent others, and not to withhold research grants or publication from persons who hold other views. Genuine and principled disagreement needs to be respected, not dismissed as homophobia or bigotry. This debate is not an easy one. But if we all seek to act with integrity—if we promote truth-seeking and show real respect for those with whom we disagree—then we may realistically hope for the future. FT

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Review Essay

Derrida, Death, and Forgiveness

Andrew J. McKenna

Barth, Derrida, and the Language of Theology. By Graham Ward. *Cambridge University Press. 258 pp. $54.95.*

The Gift of Death. By Jacques Derrida. Translated by David Willis. *University of Chicago Press. 115 pp. $18.95 cloth, $10.95 paper.*

Though Jacques Derrida is perhaps France's best-known living philosopher, his presence has always been disturbing—even to French philosophers. He not only blurs the boundaries between literature and philosophy and unveils the ambiguous metaphors that thinkers from Plato to Heidegger had assumed to lay down as basic concepts, but his reading of these metaphors claims to find in Western philosophy a crypto-theology. His analyses regularly uncover presuppositions about foundations and primacies, points of origin and authoritative presences that correspond to nothing other than a Supreme Being, however veiled or unapproachable.

Nietzsche may have been the first to point down this road when he exclaimed, "Alas, I fear we still believe in God because we still believe in grammar"—where grammar stands for the belief in a simple correspondence between language and the world it represents. When Derrida says in *Of Grammatology* that "the age of the sign is theological," he means us to understand that all philosophical reflection on language strives to stabilize meaning and anchor it in principles that are immune to critique: *nature, ideas,* and *history* are simply passwords for an effort—called "logocentrism" by postmodernists—that Derrida claims is as relentless as it is futile. Graham Ward observes in his intriguing study of the philosopher Derrida and perhaps the twentieth century's most important Protestant theologian, Karl Barth, "In drawing our attention to the onto-theological nature of all discourse—however secular its intention, it appeals continually to a metaphysic of presence—Derrida increasingly makes it difficult for himself to locate the possibility for a purely nontheological discourse." Ward probably has in mind Barth's observation in *Church Dogmatics*: "Not all man's language is language about God. Perhaps it really might and ought to be. In principle we can give no reason for it being otherwise."

Because some appeal to transcendence is both a condition and an effect of language for Derrida, theologians have taken considerable interest in his work—and he has begun to take considerable interest in theology, with his lengthy meditations on the Apocalypse, his extended debates with the religious philosopher Emmanuel Levinas and the theologian Jean-Luc Marion, and his reflections on secrecy and sacrifice in his recently translated work, *The Gift of Death.*

Derrida has never had much quarrel with theology, whose recourse to divine authority is explicit, irreducible, and not capable of being deconstructed. His chief concern has been instead with philosophy's internal quarrel with its own rational, nontheological vocation. Internal difference—the way in which an entity, an institution, or a text, is at odds with itself—Derrida labels *différance.* Ward rightly dwells on the term (though perhaps taking insufficient trouble to help his readers understand it), for it is the philosopher's most notorious neologism, his little joke on the philosophical tradition that awards primacy to ideas over symbols, speech over writing, presences over representations, and originals over copies. Derrida endeavors to make us see things just the other way around, to force us to be counterintuitive.

Structuralist language theory may give the clearest example of what he is after. The modern linguist Fer-

Andrew J. McKenna *is Professor of French at Loyola University Chicago and author of* Violence and Difference: Girard, Derrida, and Deconstruction.

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dinand de Saussure has argued that a linguistic sign is a "form and not a substance," its meaning only "relative, oppositive, negative." The idea of direct reference is suspect, for any linguistic sign such as a word means nothing in itself, but only what all the other words do not. In the dynamic interplay of differences, meaning emerges as something vestigial, rather than substantial. Because words signify only in terms of the way they differ from each other (cat/hat or cat/dog), the alphabetic letter becomes an ironically apt metaphor of the sign—for no one imagines that a letter means anything apart from its difference and combination with other letters. Derrida called his critique of philosophy a "grammatology," not in reference to grammar, but as a play on *grammë*, which refers to an arbitrary mark, an insignificant letter, the trace of a sign. Meaning is a network of traces, like a text; there is no arch-trace, no place in which language finds its own ground.

To pursue his analysis of Derrida and Barth, Ward focuses on this instability of meaning. It is, he acknowledges, a complex and (for the reader) onerous "negotiation." There is *différance* as well difference between Derrida and Barth, but Barth offers opportunities for a Derridean reading because of the paradoxes that propel his thought: the Word of God is the absolute Truth, but as a consequence, human words are irremediably inadequate to the task of representing it. Revelation, he states typically, is the "Truth unveiling itself in its veiledness." For Barth, "God is known by God and by God alone," but this unalterable fact is not a warrant for silence or complacency: "The veracity of God in His revelation and the veracity of His revelation establishes the veracity of the claim laid upon us to think of Him and speak of Him."

Barth held no love for philosophy. "In practice," he wrote, "*philosophia christiana* has never yet taken shape: if it was *philosophia*, it was not *christiana*; if it was *christiana* it was not *philosophia*." Indeed, he is unimpressed with any profane knowledge; alienated from the Word of God, all history and science are ashes and dust, as he repeatedly states. He certainly differs from Derrida in asserting the divine origin of language—but then, everything except our sinful disobedience to the Truth has a divine origin. His thought, we might say, is exultantly "logocentric": "The fact of the Word of God in no respect nor yet in the very slightest degree receives its worth and validity from a presupposition which we apply to it; its truth for us, like its truth in itself, is based purely upon itself. . . . Men can know the Word of God because and so far as God wills that they should know it." We only accede to such Truth by the faith—which "is a miracle or it is not faith"—that God's grace bestows on us. Knowledge is a function of acknowledgment—of obedience and sacrifice. Even theology, if it attempts to be systematically coherent, becomes mere "prattle."

Barth is as convinced of God's Truth as he is of our inability to comprehend it. "God's hiddenness tells us that God does not belong to the object which we can always subjugate to the process of our viewing, conceiving, and expressing and therefore our spiritual oversight and control. . . . God is inapprehensible." It is Barth's prolonged and thematic reservations about theological language that make him a confederate to Derrida's critique of linguistic representation. For Barth there is an incommensurability with divine transcendence; for Derrida, the deficiency is immanent to language. But for both thinkers, representation is always indirect and circuitous—"parabolic," as Barth called it. As Ward writes, "Barth's theological discourse is understood as a rhetorical strategy presenting both the need to do and the impossibility of doing theology. This is exactly the form, method, and content of Derrida's philosophical discourse, which presents the inability and the inescapable burden of doing philosophy." It is in light of this that Ward can argue that, though they form no postmodern synthesis, nonetheless, "Derrida has provided Karl Barth's theory of language with a philosophical supplement [and] Barth provides Derrida's economy of *différance* with a theological supplement."

Derrida's new *The Gift of Death* is not examined by Ward, but it does not betray anything that would challenge further correlation with Barth. Derrida's point of departure (and fleeting point of return) is *Heretical Essays on the Philosophy of History* by Jan Patocka, a Czech spokesman for human rights who died after hours of Communist police interrogation in 1977. In the thematic meandering that seems to have become a trait of recent work by Derrida, he elaborates the paradox of secrecy as it concerns Abraham's absolute submission to God's apparently sacrificial will. The result is a "paradoxology," as he calls it, that might serve to reinforce Ward's argument. Derrida is led to define "the history of God and of the name of God as the history of secrecy," in a way that recalls the Barthean reflection on the unveiling of God's veiledness. Derrida wants to get us to "think of God and of the name of God without . . . idolatrous stereotyping and representation," an aim that informs his provocative dialogue with Jean-Luc Marion as well. In his iconoclastic attention to "this internal critique of Christianity that is at the same time evangelical and heretical," he can remind us of Barth's very Kierkegaardian ambivalence towards all that we name church and religion.

Derrida's meditation on Abraham includes a reading of Kierkegaard's *Fear and Trembling* that meshes well with Barth's ideas on faith, which is not surprising when we recall that Barth himself derived his ideas as much from Kierkegaard as from Luther and Calvin. Derrida's statement—"Our faith is not assured, because faith can never be, it must never be a

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certainty. We share with Abraham what cannot be shared, a secret we know nothing about, neither him nor us"—is one that might well have come from Barth, notwithstanding the fact that Barth eloquently claims a faith that for Derrida remains a topic of the speculation that Barth customarily derided. On this topic of faith, however, Derrida remains less nuanced than Barth. He speaks of "the irreducible experience of belief," where Barth argues that we need faith in our faith—suggesting, as Ward might put it, the requirement of a kind of Derridean supplement for our faith to take hold of itself.

If anything like that is the case, we are led to ask whether theology—like Derrida's reading of metaphysics—is only a vast tautology, as it seems to many a profane intelligence, and as Barth himself anxiously apprehends in the second volume of *Church Dogmatics*. "God is God," he insists at the beginning of his commentary on Paul, which he later glosses by saying that "the theme of the Epistle to the Romans—Theology, the Word of God—can be uttered by human lips only when it is apprehended that the predicate, *God Revealed*, has as its subject *God Hidden*."

On his chosen topics, Derrida as usual takes his reflections further than many will be willing to follow. For all his nimble analyses, the man is often strangely apocalyptic—which is doubtless what constitutes the appeal of his work to some, its offense to others. He thinks, as it were, absolutely, with a liability for disclosing a crisis of difference that his adversaries label nihilism. But his apparent recklessness may also be the consequence of a semantic and contextual vigilance that is akin to Barth's fideistic intensity. "According to its reckoning," Barth writes of Paul's epistle, "the impossible possibility of God appears as the position which cannot be a position. By this position all other reckonings are threatened with destruction at every moment."

In the title *Positions* given to a series of interviews with Derrida, the plural of the title expresses his resistance to naively concrete assertions and dogmatically confident utterances. Granted, this resistance arises from his canny work on language rather than from anything like Barth's transcendental viewpoint. But Barth's work has nihilating proclivities of its own: "The more successfully the good and the right assume concrete form, the more they become evil and wrong—*summum jus, summa injuria.*"

In his ongoing dialogue with Levinas, Derrida ponders the implications of responsibility. If we are responsible for others at all, it turns out that we are responsible for all and for everything. Our responsibility towards others, all others and any particular other, is so total as to be utterly impracticable and psychically unbearable. In Derrida's absolute conception, every sacrifice we make for anyone amounts to a sacrifice that we make of all others, for whose welfare we are nonetheless responsible as well: "I can only respond to the one (or to the One), that is, to the other, by sacrificing that one to the other. I am responsible to any one (that is to say to any other) only by failing in my responsibilities to all the others, to the ethical or political generality. And I can never justify this sacrifice." Here we stand not with Luther but with Kafka—in whose story "Before the Law" a lifelong and now dying aspirant is told by the gatekeeper, "No one but you could gain admittance through this door, since this door was intended only for you. I am now going to shut it."

Barth once quoted Dostoevsky as a commentary on Paul: "Each one of us is utterly guilty in the presence of all; and, more than all the others, I am guilty." It is a statement that fairly summarizes Derrida's titanic though nonetheless profane sense of obligation. But perhaps "profane" is not the apposite term, for its difference from the sacred collapses at the extremes to which Derrida takes his thinking: "The concepts of responsibility, of decision, or of duty are condemned a priori to paradox, scandal, and aporia. Paradox, scandal, and aporia are themselves nothing other than sacrifice, the revelation of conceptual thinking at its limit, at its death and finitude." As Ward remarks, "The possibility for a theology haunts the margins of every text." In *The Gift of Death*, Derrida defines a responsibility so comprehensive and so drastic that only divine assurances could underwrite it. A Barthean might argue that it virtually requires some notion of grace for us to bear it. In the postmodern Christology Ward seeks with his work on Derrida and Barth, grace is necessary just to reduce the cruelty of logic.

For Derrida, we're no better off morally than Abraham at Mount Moriah with his knife poised over his son, in a posture that "ethics would call hatred and murder," "an abomination in the eyes of all, . . . atrocious, criminal, unforgivable," as Kierkegaard insists. And yet it is "the most common thing," "the truth," "the very structure of what occurs every day." Every act for one is a betrayal embracing all others, "each of whom is the only son I sacrifice to the other, every one being sacrificed to every one else in this land of Moriah that is our habitat every second of every day." For Derrida this ubiquity of Mount Moriah is not only a structural necessity, or a "formal economy," but an empirical fact that ensures social order. This "monstrosity of prodigious proportions" that we conceive as Abraham's sacrifice is our daily fare. "We can hardly imagine a father taking his son to be sacrificed on the top of the hill at Montmartre," he says, but that is what he drives us to imagine about ourselves when we go out for the morning newspaper. For Derrida as for René Girard, the road to order is paved with victims.

Derrida here seems to be writing a brief for original sin that, without being named as such, is more dynamic than the concept in Barth, for whom it

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is far more elemental, rudimentary, "the characteristic mark of human nature as such." It is the idea of a general economy of sacrifice that leads him to reflect on portions of the Sermon on the Mount that suspend "the strict economy of exchange," including "that hateful form of circulation that involves reprisal, vengeance, returning blow for blow, settling scores."

In Jesus' words, all symmetry between debtor and lender, offender and offended, is broken, for the Sermon on the Mount performs a critique of difference to which any deconstructor can subscribe. Subject to serious misuses, deconstruction is nonetheless, in its right use, not a simple trashing of culture and tradition, but a critique of differences—of the arbitrary semantic and institutional constructs that impose rather than reflect order. Accordingly, it naturally provides a critique of the symbolic violence that orders cultural representation. But, unlike the Sermon on the Mount, deconstructive philosophy provides no antidote. If sacrifice and scandal name the violence of conceptual thought at its extreme, it is fair to ask whether this is just the moment to give up on philosophy altogether, and, with the likes of Pascal, Kierkegaard, and Simone Weil, look elsewhere for the solutions to our problems. Philosophy's self-deconstruction is conceivably Derrida's principle contribution to theology.

Derrida does not pursue, however, the theme of forgiveness that runs throughout Scripture. Forgiveness is not a concept, and in all fairness there is nothing that Derrida says of it that suggests it is. But this is just the problem with Derrida: there is nothing, or almost nothing, in his discussion of the Sermon on the Mount to suggest that forgiveness is the key. The Sermon on the Mount is not about secrecy, but about human conduct, wherein forgiveness is a concrete form of behavior, a practical model entirely immanent to human interaction. Its effect is to break utterly the ties that bind us to the other's violence, to our neighbor's hostility, imperiousness, or envy. The injunction to love our neighbor, even our persecutor, is not ignored by Derrida, who links it to the thematics of God's infinite love, but the philosopher's spirit is inevitably more exercised by infinity than by love.

Derrida can take us to the limits of conceptual thinking, but not beyond. He makes his home at those limits, writing—as he entitles one of his books—*On the Margins of Philosophy*, which leaves him bound to touch theology. But what he does when he touches theology is disorienting and finally disappointing. He veers off from his discussion of the Sermon on the Mount, for example, to an early essay by Baudelaire on giving counterfeit money as an abuse of charity—in which Derrida claims to find something like a parody of Christian sacrifice. "In the salary promised in heaven by the Father who sees in secret and will pay it back, [Baudelaire's] 'The Pagan School' can always unmask a sort of sublime and secret calculation, that of him who seeks to 'win paradise economically' as the narrator of [Baudelaire's] 'Counterfeit Money' puts it."

"This knowledge," Derrida continues, "at the same time founds and destroys the Christian concepts of responsibility and justice and their 'object.'" We might hear intimations of Barthean paradox here, but Barth would be the first to insist that the gift (whose notional suppression so intrigues Derrida) needs to be one of the things we give with no exchange, with no expectation of return because they proceed from love. These are the building blocks of the Kingdom, its unshakable foundation, that Scripture talks about with unalloyed clarity. If there is a secret here, it is God's love, which stands in the world as something other than a concept—except perhaps for philosophers, which is perhaps why Derrida is drawn to Nietzsche in his terminal remarks: "The stroke of genius called Christianity," he quotes from Nietzsche's *On The Genealogy of Morals*, claims to "deliver man from what for man had become unacquittable—the creditor playing scapegoat for his debtor from *love* (can you believe it?) from love of his debtor!"

Nietzsche may have had philosophical reasons for rejecting belief in God, but the relentless shrillness of his references to Christianity and Judaism does not derive from philosophical reason. By the time Nietzsche wrote at the end of the nineteenth century, it was no big deal to sneer at God and his churches (though Baudelaire had regarded it as a churlish audacity only a generation earlier). But those who celebrate God's death are left with a purely worldly transcendence. And this worldly transcendence—expressed in the unforgiving competition for public recognition and celebrity—has no antidote to rivalry, precisely because rivalry is its operating principle. Signing himself "the crucified" in his final correspondence, Nietzsche was at last drawn into an insane attempt at rivalry with Jesus and the Gospels.

For deciding what to make of Derrida, perhaps we need to take seriously this late madness of Nietzsche. Like Derrida, Nietzsche exhausted conceptual thinking and gave up on philosophy. If he succumbed at the end to delusions of divinity while Derrida has not, it may simply be that Derrida has not yet found where Nietzsche's road inevitably leads. Barth liked to associate Nietzsche's madness with his own cherished conviction that "the truth is unbearable"—which may reflect certain romantic problems with Barth's theology. But Barth's work nonetheless suggests that the only way past the limits Derrida explores is through the grace and gospel of Jesus. FT

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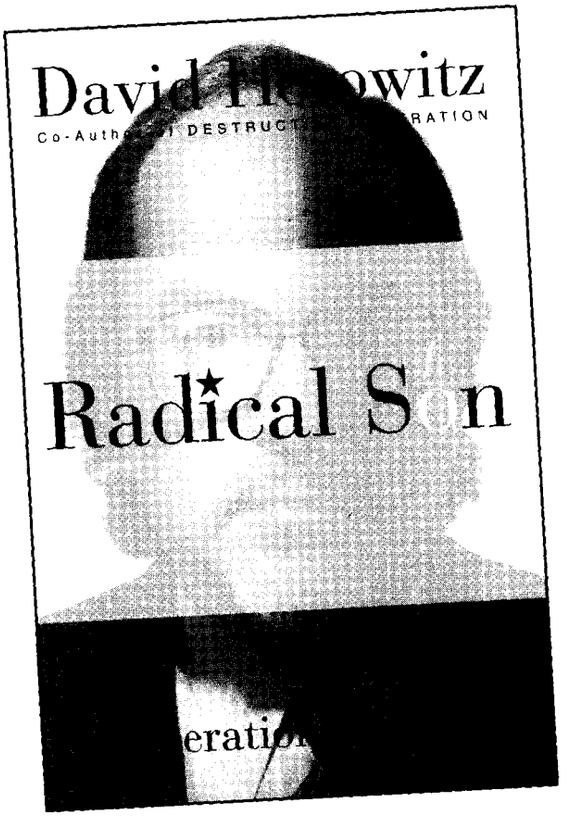

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Books In Review

Withered by the Sun

Dimensions of the Sacred: An Anatomy of the World's Beliefs. By Ninian Smart. *University of California Press. 331 pp. $29.95.*

Reviewed by **Paul J. Griffiths**

The modern study of religion is about a century old. It has a longer lineage, of course: Hume's *Natural History of Religion* and Spinoza's *Tractatus Theologico-Politicus* are important forerunners, as (on some readings) is Cicero's *On the Nature of the Gods*. But the presence in universities of the paraphernalia of a scholarly discipline with religion (as opposed to theology) as its topic does not much predate the twentieth century.

By some measures, this particular academic discipline is flourishing. The American Academy of Religion attracts more than ten thousand to its annual meetings, and several hundred doctoral degrees in religious studies are awarded every year in the United States. But the appearance of health is deceptive. The discipline is like those stalks of corn that grew from the seed that fell upon stony ground in the parable of the sower: they have grown quickly and they look luxuriant, but they haven't the root-system to sustain life and are quickly withered by the sun. The sun in question is the recovery of theological voice, both within the academy and without, by those doing serious intellectual work from within the bounds of some particular religious tradition. The rationale for the establishment of the modern study of religion was that it could be properly scientific (a *Geisteswissenschaft*—these things always sound better in German), while theology could not. But no one, not even the practitioners of religious studies (other than a lunatic fringe), seriously argues this any more, and so the root-system of the discipline, always undeveloped, has gone.

In light of all this, *Dimensions of the Sacred* has the look of a beautiful bloom on a dying plant. Of its kind it is very good. Ninian Smart has been thinking and writing about religion and the study of religion for more than three decades. He writes with care and clarity, and with the assurance of a scholar who has been displaying the skills evident in this book for a long time. He has read widely and has a facility for pithy summary of other people's work and for synthesizing great swaths of scholarly work on particular topics—such as the relations between religious commitment and nationalism, or the effects of modernity upon the formation and maintenance of doctrinal systems. Smart is one of the discipline's major figures, and this book may turn out to be his major synthetic effort. If you want to know where the modern study of religion stands, and what topics are of interest to it, you should read this book.

What Smart offers is a descriptive analysis, from a broadly phenomenological perspective, of the main dimensions of religion—of religion in general, that is, as well as of particular religions. He wants to describe the grammar of religious symbols, to show the "modes and forms in which religion manifests itself." Smart distinguishes seven such dimensions: doctrinal, ritual, mythic, experiential, ethical, social, and material. Each of these is given a chapter, and he includes a brief final chapter on the political effects of religion, wherein he offers some comments on the possible future of religion in general and of certain religions in particular.

Each dimension is treated both abstractly and concretely—as when, for instance, Smart defines the ritual dimension of religion (it is, for him, a species of repetitious or stylized performative act or utterance), and then offers many examples of its varieties. One of the book's strengths is the range of the examples offered. In the ritual chapter, for example, Smart mentions Hindu fire sacrifices, Christian Easter rites, Chinese

Paul J. Griffiths *is Associate Professor in the Divinity School and in the Department of South Asian Languages and Civilizations at the University of Chicago.*

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Marxist pilgrimages to Mao's mausoleum, Tibetan Buddhist shamanistic rituals, Mahayana Buddhist worship of bodhisattvas, Qur'anic chant—and much more. Naturally, examples are treated very briefly; the scope of the book does not permit anything else. But so far as I can judge Smart is careful to be accurate and clear, and to show in the service of what theoretical point every example is used. His understanding of religion extends, as is obvious even from this list of examples, to Marxism, and indeed to any complex of phenomena that might reasonably be thought to have all or most of his seven dimensions.

Another strength of the book is that it doesn't treat its chosen dimensions in isolation. Smart attempts throughout to discern threads running across the dimensional divides, and to show why they are there. For instance, he explores the likely relations between telling particular stories and teaching particular ethical attitudes or practices: if an important religious narrative for you is that of Confucius' life in the *Analects*, you'll be likely to think that the ideal way to live is as a tradition-committed sage; if, on the other hand, you tell the stories of Buddha's previous lives as part of your religion, you'll be implying a correspondingly different set of ethical attitudes as desirable. Similar kinds of connections are drawn among the other dimensions, and this is one of the things that makes the book read as a connected whole.

BUT THE FACT remains that the book has an oddly quaint air. Smart himself sees this, saying that much of his book is relatively old-fashioned. There's nothing wrong with quaintness by itself, of course, but this isn't the quaintness of the thatched roof or the hand-made book; it's the quaintness of the phrenologist who doesn't quite realize that his theories have no purchase. The easiest way to see this in the case of Smart's book is to ask what it is for: what benefits are to be had from reading it, and to whom is it addressed? Smart thinks that it is for all who take religion seriously, and that its audience is "religionists" who offer an uncommitted interpretation of religious phenomena. Its platform, he says, is that of science, in the broad sense; and its principal benefits are that it acts as a counterpoise to tribalism, and that it raises questions that it may be fruitful for committed religious people to consider.

But this is all wrong. It claims a status for itself above the objects of its study, whereas in fact its platform is simply one among others, not elevated above those of the religions it describes. Religionists are a tribe, too (though not a terribly interesting one), and it's hard to see why

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speaking as a member of that tribe is anything other than one more instance of tribalism; and the religions are perfectly capable of generating and considering their own questions about religion, without the dubious help of religionists.

These points can be approached rather differently by asking about the place, in Smart's book, of judgments as to the truth of religious claims or the desirability of patterns of action advocated by religious communites. Smart seems to think of his work as eschewing all such, for he presents it as concerned only with synthetic description. When he does make normative judgments (for instance, he claims that the Guru Maharaj Ji is not worthy of the worship his followers give him), he always does so with a certain distanced coyness, as though saying, "Yes, I can make judgments too, but when I'm wearing my scholar's hat I prefer not to."

But the coyness is a diversionary tactic: it masks the deep normative commitments that in fact saturate Smart's work. He is committed at least to the controversial claims that religionists are less tribal than people of faith; that a good understanding of beliefs held and practices performed by people of faith can be produced by comparative and synthetic description of the sort found in his book; and that it is possible to divorce descriptive acts from normative beliefs. The first and third of these claims are clearly false; and the second needs a lot of work if it is to be made plausible. But the fundamental problem is not that Smart believes such things (and many others like them), but that he seems to see neither that he does, nor that they require defense. He is blind to his own tribal allegiances.

This is a book with numerous virtues. But they are vitiated by the fact that the intellectual enterprise it represents is without roots, without the self-awareness to perceive and understand the nature of its own commitments, and with the power to bear only sickly fruit.

The Neoconservative Classroom?

In the Classroom: Dispatches from an Inner-City School that Works. By Mark Gerson. *Free Press. 258 pp. $23.*

***Reviewed by* Joshua Glenn**

When I learned from the book's press release that *In the Classroom* is "an uplifting look into how a poor urban school turns scant resources into success through discipline, faith, and the often untapped power of parents and teachers," I knew I had to read it. Like Mark Gerson I went to Williams College, and like

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him I taught American history in an inner-city school for a year after I finished.

JOSHUA GLENN *is Editorial Director of Tripod (www.tripod.com), a website based in Williamstown, Mass. devoted to helping young people make the transition from college life to the work world.*

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Unlike Gerson, however, who spent his year at a Catholic high school in New Jersey, I spent my year in a public school in Boston. Before I began teaching, I had done some graduate study in the sociology of education, and was particularly intrigued by a study undertaken by the late James Coleman which seemed to demonstrate that urban Catholic schools educate their students better than do urban public schools with much bigger budgets. This controversial finding clearly has enormous implications for those education reformers who insist that schools need more money to be effective. What the aggressively secularized public schools really need, according to Coleman, is something money can't buy: a community of parents and teachers who, because they are committed to the same basic beliefs and values, can create a uniquely disciplined and coherent learning environment.

I was sympathetic to Coleman's theory, and much of my own teaching experience—which was in a school so dominated by Catholic Latino kids, parents, and teachers that it was the next best thing to a Catholic school—seemed to bear him out. But the social utility of religion is a very tricky subject, and I took up Gerson's *In the Classroom* in the hope that he would provide some analysis and evidence from the Catholic school system to confirm my own experience in a public school.

WHAT I FOUND was an entertaining set of anecdotes—some, after my own experience, entirely believable, and some less so—about life in an inner-city school. *In the Classroom* is an engaging diary of day-to-day interactions between a novice teacher from the suburbs and his quick-witted, streetwise students. The book's strength, however, is also its weakness, for the anecdotes never quite manage to coalesce into a coherent discussion about education. There are stories here that any reader will enjoy, but no real evidence, even circumstantial or anecdotal, of what I hoped to find in the book: proof that Coleman's theory about Catholic education is correct.

Gerson does have a strong set of carefully reasoned views, developed from his interaction with such luminaries as James Q. Wilson. (It was Wilson himself who encouraged the young man to become a teacher, and then exchanged letters and e-mail messages with him, assuring him from the beginning that his classroom memoirs would make a good book.) Gerson is one of the fastest rising young neoconservatives—a twenty-three year-old who has already written *The Neoconservative Vision* (1995) and edited *The Essential Neoconservative Reader* (1996). But his neoconservative views seem to occupy one plane of *In the Classroom*, while his teaching experiences occupy another—as though he never found a way to let the two influence, inform, and enrich each other.

Mostly, the book tells the story of how Gerson won his student's respect, first on the basketball court and then in the classroom, and went on to teach them the fundamentals of American history. The prose is a little awkward—surely the verbal repartee he reports in great detail was less stiff and formal as it actually bounced back and forth from teacher to students—but the reader will soon be drawn in.

THE SUCCESS OF such movies and books as *To Sir With Love*, *Stand and Deliver*, and *Up the Down Staircase* is proof both of how much we admire successful teachers and of how deeply we believe in the ability of a good teacher to make a difference. These books and movies seem to have influenced the publishers—and, truth be told, sometimes Gerson himself—to cast the young man as a savior come to reform everything in his students' lives. But any success at teaching American history to inner-city students is worth celebrating. And if the publisher's blurb that Gerson's students learned "more about U.S. history than most college students will ever know" is exaggerated, nonetheless, for a first-year, untrained teacher, Gerson did very well indeed.

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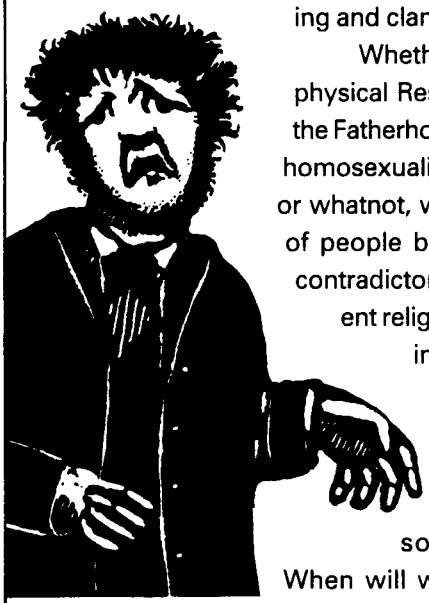
Why Don't Wimpy Catholics Have the Decency to Leave?

The schismatic spirit is running wild in the Catholic Church. Consider: Craven Catholics, bowing down to the Spirit of the Age, whine and clamor for priestesses. The Holy Father, faithful to Scripture and Tradition, responds with an *infallible* "No," pronouncing the case closed. And the whining and clamoring *continue*.



Whether the issue be the physical Resurrection of Christ, the Fatherhood of God, abortion, homosexuality, liturgical abuses, or whatnot, we have two camps of people believing and doing contradictory things, two different religions barely co-existing in one Church.

The Holy See isn't going to capitulate to the Spirit of the Age, so the question is: When will wimpy Catholics — those who hanker for a comfortable, politically-correct religion — have the decency to leave? Consider: An NAACP member who comes to the conclusion that slavery was actually good for blacks should have the decency — the honesty! — to turn in his membership card.

We at the NEW OXFORD REVIEW know about leaving. Founded in 1977 as an Episcopalian magazine, the REVIEW became Roman Catholic in 1983. Sadly, we've encountered lots of de facto Episcopalians *inside* the Catholic Church. They act as if the Pope is, like the Archbishop of Canterbury, a mere figurehead. They yearn for the Catholic Church to look like the Episcopal Church: priestesses, anything-goes theology, permissive morals, openly noncelibate homosexual priests, and enough ritual to make it all seem right.

Our prayer is that culturally-compliant Catholics stand up for Catholic truth. If that's not to be, we hope they won't lumber down the ole schism trail and start up a new Protestant denomination. Gads, the Christian world doesn't need yet another splinter group, another calamity. We'd rather see them quietly leave as individuals for the Episcopal Church, where instant happiness awaits them.

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Throughout the book, we witness the sort of discussion that happens in many high school classrooms. Sometimes it goes nowhere: the story of Nat Turner's slave rebellion, for instance, quickly degenerates into name-calling and jokes, and the lesson ends inconclusively. And sometimes it goes off in unexpected directions: a lesson about the duel of Alexander Hamilton and Aaron Burr ends up in a contrast between a rules-oriented gun culture and the gun culture Gerson's students know all too well (and skips over the question of whether nostalgia for any kind of gun culture is appropriate for these classrooms). But sometimes it goes right to the heart, and the students end up with a lesson that will remain with them forever.

Gerson is a man of settled views, and the teacher in his book learns from the students a little less often then I would have liked. When he discovers that urban youth don't kiss up to their teachers in the way that he and his suburban peers did, he admits that their honesty and self-assurance are refreshing, but worries that they will not make it in a service economy unless they change their ways. He notes with approval, however, that his students who work at fast-food restaurants are "trained to respect their boss and their customers, [and] this attitude figured into the way they treated their teachers and other authority figures as well." In an attempt to instill discipline into his other students, he invents a form of detention called a "Frank," in which unruly students are forced to listen to records of Gerson's hero Frank Sinatra, while writing "Ol' Blue Eyes is better than Ice T" over and over on the blackboard. He does have a moment of self-doubt about his "Franks," wondering, "Was I using Sinatra as punishment? Yes, I was, and I didn't like it one bit. But there was no other way to get the students to listen to Sinatra."

GERSON'S OWN VIEWS appear in more than enforced Sinatra, and though I found myself often in agreement with them, they seemed to derive more from neoconservative theory than actual practice in the classroom. He scoffs (perhaps deservedly, but with an insufficient foundation in his own teaching experience) at bilingualism, diversity training, prejudice-reduction efforts, and the idea that standardized exams may be culturally biased. He refuses to use a history textbook that claims nineteenth-century women often used abortion as birth control, exclaiming, "Abortion as birth control? I surely did not look at abortion that way." The historical accuracy of the claim aside, the suggestion that the textbook's publishers somehow approve of abortion as birth control is not convincing. He very reasonably complains that the textbook features a variety of obscure women in place

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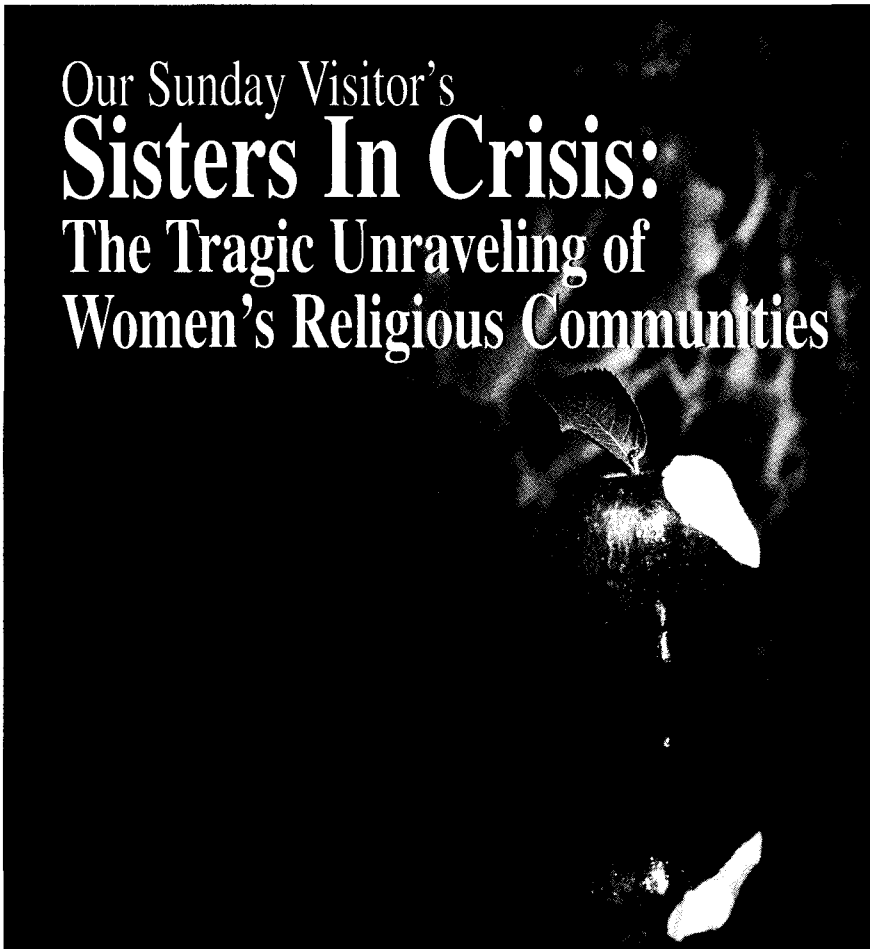
Sisters In Crisis:

The Tragic Unraveling of Women's Religious Communities



The Bitter Fruit of a "Failed" Religious Renewal

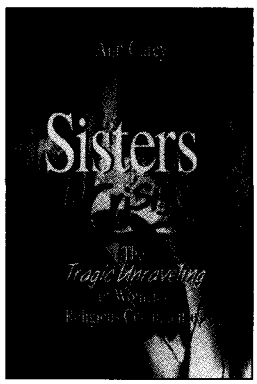
What caused the stunning collapse of so many women's religious communities in the United States?

A generation ago, nearly 200,000 sisters worked in Catholic schools, hospitals and nursing homes, parishes, and social service agencies. Today, only half as many sisters remain and their numbers are declining.

Journalist and author Ann Carey uses the archival records of the Leadership Conference of Women Religious and other prominent groups of sisters to examine the ideological transformation of women's religious life. She shows how politically astute activist nuns, deeply influenced by gender feminism, shaped the direction of renewal from their leadership positions in national sisters' organizations and large communities. Carey concludes that their radical agenda — deconstruction of community life, secularization of ministries, antagonism to male Church authority, and neglect of spiritual development — has failed to bring about the needed renewal of women's religious life.

Strong signs of vitality are found elsewhere — in communities that retain a keen sense of their mission and a strong commitment to Catholic spirituality and identity. Many of these women's communities are experiencing a surge in new vocations. Their rise suggests that some sisters may be poised for another transformation: one that learns from the mistakes of the past and brings new vigor to women's religious life.

Sisters In Crisis: The Tragic Unraveling of Women's Religious Communities
By Ann Carey
No. 0-87973-**655**-0,
hardcover, $19.95, 370 pp.



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of such influential figures as the eighteenth-century preacher Jonathan Edwards. But without showing us how we *should* teach the significance of religion in American history, his complaints about trivializing history in the name of political correctness remain purely theoretical.

Gerson does make a sociological argument—relying heavily on the work of James Q. Wilson—about the role that a community of shared values and beliefs plays in creating a learning environment, but again it remains dissociated from his account of an actual classroom. *In the Classroom* has many enjoyable anecdotes that match the experience of inner-city teachers. And it has many concisely argued analyses of neoconservative theories about education. But for those of us who would like to believe that a poor urban school can turn "scant resources into success through discipline, faith, and the often untapped power of parents and teachers," the anecdotes and analysis never quite come together in the way that we need.

Bible, Creed, and Science

BIBLE AND SCIENCE. By STANLEY L. JAKI. *Christendom Press. 222 pp. $9.95 paper.*

Reviewed by **Stephen M. Barr**

IN THIS BOOK Father Jaki discusses with much learning, insight, and wisdom the complex relationship between biblical religion and science.

In the first chapters he gives an illuminating analysis of the Bible's view of the natural world. That view, Fr. Jaki bluntly shows, presupposed a cosmology that was extremely primitive even by Ptolemaic standards. The earth was a flat disk supported by pillars, and the sky a hard inverted bowl with apertures through which rain and manna fell. The biblical authors evinced no interest either in natural phenomena as such or in anything remotely resembling science. Indeed, their worldview was, in some ways, profoundly antiscientific, especially in attributing to God continual interferences in nature to produce not only miracles but quite ordinary phenomena such as rain, snow, and earthquakes.

The curious thing, however, is that it was precisely the God-centeredness of the Hebrew Bible that cleared the ground for the later emergence of science. While overwhelmingly supernatural in its outlook, the Bible concentrated that supernaturalism in a God distinct from nature, and in that way had the effect of desacralizing and depersonalizing nature. Moreover, since the world was God's creation, it necessarily had the quality of being well designed. Indeed, Jaki observes, even the notion of a universe governed by laws can be found in several passages: "When I have no covenant with day and night and have given no laws to heaven and earth, then too will I reject the descendants of Jacob and my servant David" (Jeremiah 33:25-26); God gave the sun, moon, and stars "a law which shall not pass away" (Psalm 148:6). One of St. Augustine's favorite verses, and one of the most often cited by medieval writers, was Wisdom 11:20, "But you have disposed everything according to measure and number and weight."

THUS IT WAS NOT directly, through its descriptions of natural phenomena or its presumed accounts of natural history, that the Bible played a positive role in the emergence of science, but indirectly, through the Church's creed. Jaki notes that "Instead of the relation of the Bible and Science, one should . . . speak of the relation of the Creed and Science. In

STEPHEN M. BARR *is Associate Professor of Physics at the Bartol Research Institute, University of Delaware.*

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doing so, one would also do justice to the historical reality of the former relation. Whatever concern some Church Fathers had for science, it was the Creed ultimately that they wanted to vindicate."

The most important case in point is the first chapter of Genesis. Jaki points out that "countless commentators (patristic and scholastic) on Genesis 1 . . . use it . . . to assert basic truths of the Christian creed and theology, [as that] all was created by God, that He was free to create, that He alone was the Creator, that all He created was good, . . . that He created out of nothing and in time, . . . and that He created for a purpose which culminated in man's special status and destiny." One of these affirmations, that the world had a beginning in time (defined by the Fourth Lateran Council in 1215), actually helped lead the fourteenth-century professor Jean Buridan to the idea of an "impetus" given to the celestial bodies in the beginning. This impetus, he argued, could be conserved only if the celestial motions take place in a region without friction. Thus were the new ideas of momentum and inertial motion born. These ideas were further developed by Nicole of Oresme, bishop of Lisieux and Buridan's successor at the Sorbonne, and were the first stirrings of a true science of motion and of the scientific revolution.

Unfortunately, throughout Christian history many have attempted to forge more obvious links between the Bible and science, and in so doing have projected ideas into the sacred text utterly foreign to the thought of its authors. This dismal program of "concordance," pursued in every age from the Fathers' to our own and intended to make the Bible respectable for the science of the day, has had the opposite effect.

Few commentators through the ages were able to resist the temptation to correlate the events of the six days of creation with contemporary scientific theories. (Here Jaki is a little too hard on Pius XII, whose reference in the 1950s to a connection between Genesis and the Big Bang was, to my mind, poetically quite apt.) Jaki argues that the sequence of events in Genesis had quite another meaning. Those of the first five days teach primarily that God is the Creator of all things, with that totality being signified by the rhetorical device of "totum per partes" (which is used three times). The totality is first expressed by "heaven and earth," and then on days two and three by the firmament and the earth—the ceiling and floor of the tentlike world, and finally on days four and five by reference to the main contents of the world.

The middle section of Jaki's book takes us from the early Christian era (by which time Greek science was already moribund, due, Jaki says, to the revival of pantheistic conceptions of the cosmos) up to the Galileo fiasco. He has many fascinating things to say along the way, some profound, some provocative, and some merely curious. (I was unaware, for example, that in the sixth century John Philoponus argued from the colors of stars that they might be made not of some kind of divine matter, as was commonly thought, but of the same type which on earth produces flames of various colors.) Unfortunately, this part of the book is not as well organized as it could be, and the exposition suffers from frequent lapses into a peculiar Jakian style, which is unnecessarily polemical and sometimes obscure. Nevertheless, the ideas are still there, and the line of thought can still be discerned under the epicyclic twists and turns by a thoughtful reader.

In the final chapters Jaki returns to the biblical text, and discusses the best-known miracles of both Testaments. His speculative hypotheses about some of the more dramatic Old Testament miracles, as well as his general reflections on the meaning and manner of divine interven-

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In spite of some infelicities of style, and one or two questionable contentions, this is an admirable treatment of the Bible and science, and would be highly suitable for a college course.

Catholicity and Protestant Survival

The Catholicity of the Reformation. Edited by Carl E. Braaten and Robert W. Jenson. *Eerdmans. 112 pp. $12 paper.*

***Reviewed by* Leonard R. Klein**

Two visions of the Church struggle for dominance in contemporary American Protestantism. The first view sees the Reformation as a completed fact, a success that has brought us freedom of conscience and worship and the worldly blessings of progress and democracy. Some who hold this view cherish catholic substance, while others argue that the form and tendency of the Reformation warrant continuing reformation away from the catholic tradition. But they all agree that the separation of Protestantism from Rome must be maintained.

The second view is articulated in *The Catholicity of the Reformation*, a series of lectures delivered in 1995 under the auspices of the Center for Catholic and Evangelical Theology in Northfield, Minnesota. This view is less sanguine about Protestantism. It does not accept the breach of the sixteenth century as permanent or, more important, as good. In this minority view, the value and integrity of the Reformation lie in its continuity with catholic tradition.

The writers collected in *The Catholicity of the Reformation* are with one exception Lutherans, and they are well positioned to argue that the catholicity of the Reformation is its true genius. While Anglicans might dispute the point, Lutherans can make a credible claim for being the most completely catholic of the Protestant communions to emerge from the sixteenth century. Liturgy, creeds, dogma, iconography, music, and sacramentality all survived the turmoil of the Reformation. The ancient episcopal order did less well, but the Lutherans were always willing to have it and kept it where they could. The struggle for Lutherans and other Protestants is whether the original intentions of the Reformation will shape their future or whether Protestantism will continue to aggravate the division of the Church by unceasing novelties or stubborn reluctance to change.

The essays in this volume present fine examples of the theological work that results when the Reformation's catholicity and commitment to the unity of the Church are properly valued and when the need for genuine renewal and reform is posited by Protestants for Protestantism. Protestants often use the catholicity of the Reformation defensively—we're catholic too!—to stave off genuine reevaluation. The authors anthologized by Carl Braaten and Robert Jenson, however, show what continuing reform and ecumenical seriousness might require.

The opening essay by Jenson and the closing essay by Günther Gassmann set the whole discussion within an ecclesiology of *communio*. By thus assigning to the unity of the Church the significance the Creeds and Scriptures give it, and by relating the unity of the Church to the unity of the trinitarian God, they set aside the common Protestant assumption that divisions in the Church are a harmless expression of pluralism. Real external fellowship is necessary, and the scandal must not be minimized to preserve the uniqueness of the divided fellowships. Jenson further concludes that *communio* requires an ordained ministry that is "fundamentally a 'ministry of unity.'" The *communio* of the Church includes the living

Leonard R. Klein *is former Editor of* Lutheran Forum *and Senior Pastor of Christ Lutheran Church in York, Pennsylvania.*

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and the dead, he points out in a passage of real ecumenical importance: "Insofar as Catholics thus provide a pure example of experienced fellowship with the saints in heaven, Protestants should be moved to its freer practice."

Gassmann links *communio* to customary Lutheran language in saying that "communion expresses the corporate ecclesial dimension of justification." But like Jenson he draws the link to trinitarian theology and the unity of the ministry: "Episcopal ministry is an ecclesiological necessity if we want to move beyond congregationalism." And with a simple sentence near the beginning of his essay he unhorses any defense of the pluralistic status quo: "The Church universal is not made up of or composed by the addition of local churches."

Jenson and Gassmann skillfully reveal an ecumenical mandate in their work as Lutheran theologians, and their beginning and ending essays provide a frame for the more specific projects of the essays in between. They also establish an operating assumption that can liberate Lutherans and other Protestants from rationalizing the divisions of the Church by polemical appeal to the real or imagined flaws of Rome.

In "The Catholic Luther" (an earlier version of which appeared in First Things, March 1996), David Yeago continues a crucial project of reinterpretation. At their best Lutherans remember that the Reformation turned away from subjectivity to the objective means of grace, but the modern fascination with interiority, with "the dynamics of faith," regularly mutes this realization. An essay on the catholic Luther will by definition not make that mistake, and Yeago shows that the young Luther's quest was more to find the true God for God's own sake than the gracious God who would appropriately console his conscience. Challenging the dominant theme of much Luther research, he argues that the turn that led to the Reformation was a turn away from medieval interiority. By the summer of 1518, "The public

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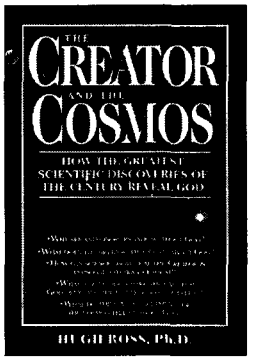

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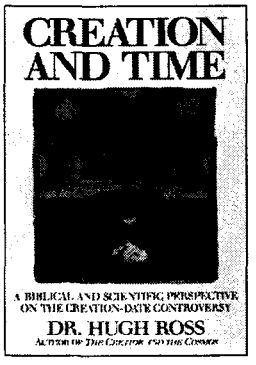

One of the most commonly held beliefs among Christians and nonChristians alike is that science and Scripture absolutely and irreconcilably contradict each other about the age of the earth.

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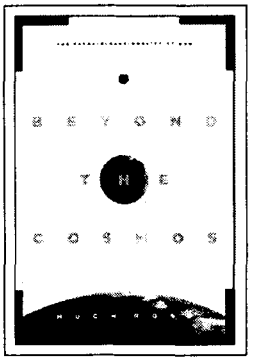

Modern science—especially astronomy, quantum and particle physics—have shown conclusively that more than four dimensions (our three dimensions of space, plus time) exist around us.

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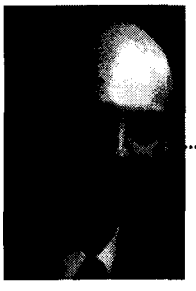

DR. HUGH ROSS is the founding member of a nonprofit organization called Reasons to Believe. Dr. Ross earned his B.S. in physics from the University of British Columbia and his masters and doctorate in astronomy from the University of Toronto. He is a highly requested speaker and currently lives in southern California with his family.

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sacramental life of the Church is now seen as the *locus* of assurance," and the Luther of the Reformation era is more, not less, catholic than he was before the Ninety-Five Theses. Accordingly, Yeago argues, "there are no historical grounds for believing that the schism was the necessary outcome of Luther's theology of grace." Yeago can thus propose the unthinkable: that the schism was not necessary and that some of the fault was on the Lutheran side.

FRANK C. SENN'S ESSAY, "The Reform of the Mass: Evangelical, But Still Catholic," covers territory familiar to those who know church history, but Senn takes his historical lessons and applies them to current debates. There is no disputing the fact that the early Lutherans kept the historic liturgy, and this ought to warn contemporary Lutherans against the temptation to regard liturgy as a matter of indifference.

Carl Braaten takes on the problem of authority, warning against naive pluralism and arguing for the need to name and condemn heresy. He affirms the catholic integration of Church and Scripture against fundamentalism and "modern rationalist historicism." He describes in characteristically straightforward language Protestantism's crisis of authority and its need for real shepherds: "The Church must have not only normative sources written down on paper but also authoritative officeholders ordained to teach the whole Church." At the time of the Reformation, few would have winced at such a statement. The number who now do are an index of the loss of catholicity.

The same theme is continued by James R. Crumley, former bishop of the Lutheran Church in America. He warns against questioning of the "pastor's liturgical role, teaching capability, . . . and even preaching and sacramental roles." He reaffirms the "sacramental quality" of ordination and calls upon Lutherans to accept the threefold office and historic episcopacy that their reforming ancestors could take for granted.

The penultimate essay is Robert Wilken's "Lutheran Pietism and Catholic Piety." Like's Senn's essay on the liturgy, it is a fine historical survey, all the more engaging because of its finding that the Pietists, often condemned or praised for being so thoroughly Protestant, were deeply and consciously dependent on Catholic sources, both patristic and medieval. Wilken sees the Pietists as recovering concerns for the spiritual life, the affections, and the love of God from the "partial and one-sided" feature of the Lutheran Reformation's "brilliant vision."

One-sidedness, it might well be argued, is the flaw of all Reformation communions and of the subsequent Protestant families that developed and continue to develop from them. Lutheranism's one-sided emphasis on the doctrine and experience of justification (though it is not a uniquely Lutheran flaw) has led Lutherans to think they can evade the question ecumenism and modernity have forced to the fore. It is the doctrine of the Church—and with it questions of ministry, sacramentality, and liturgy—that the essays in this short volume address. Born in a brief period of crisis, each Protestant church is tempted to canonize the conditions and questions of its genesis. Biblically and theologically this is untenable and may be simply sinful. Surely its use to rationalize schism is.

Wilken reached the point of leaving Lutheranism for the Roman Catholic Church, but his words to those who continue faithfully within the Protestant churches are still poignant: "The Reformation heritage cannot survive if it ignores the Catholic tradition." The evidence for the truth of his claim mounts rapidly, and the kind of thinking distilled in *The Catholicity of the Reformation* is a condition for Protestant survival, to say nothing of faithfulness.

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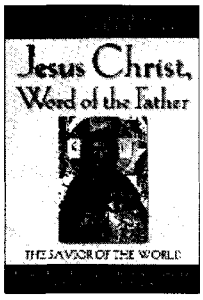

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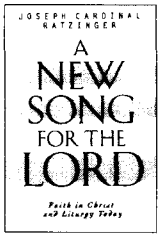
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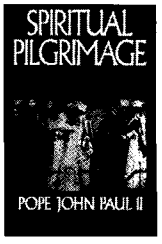

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BRIEFLY NOTED

Doctors of Conscience: The Struggle to Provide Abortion Before and After Roe v. Wade. By Carole Joffe. *Beacon. 250 pp. $24 cloth, $14 paper.*

It is refreshing to read a book on abortion that refuses any pretension of neutrality, and the sociologist Carole Joffe has composed an unapologetic paean to the abortionists she sees as heroes. The rejection of a middle ground, however, is her book's only good feature. Lingering lovingly over Michael Griffin, Paul Hill, and John Salvi, Joffe demonizes anyone who questions abortion as a violent "zealot." One wonders why, in her interviews with forty-five heroic abortionists, she found no time to interview Abu Hayat, who casually ordered a bleeding and semi-conscious patient out of his office. Or David Benjamin, who performed complex third-trimester abortions without anesthesia in his office because he couldn't obtain hospital privileges anywhere. Or Stephen Brigham, whose medical license has mercifully been suspended. Or Allen Kline, who let a thirteen year-old die from a botched abortion. Or Robert Crist, whose seventeen-year-old patient bled to death in Houston. Even within her narrow bounds, however, Joffe shows herself astonishingly ignorant of events in the abortion revolution. I was there in the early days, and can tell her that she misunderstands the position of Alan Guttmacher (who resisted abortion on demand) and omits or barely mentions such key figures as Howard Moody and Arlene Carmen (who created the Clergy Consultation Referral Service), Lana Phelan (a significant west coast agitator), Betty Friedan, Lawrence Lader (perhaps the most important figure in the entire abortion movement), John Willkie (the politically sophisticated president of the National Right-To-Life Committee for almost ten years), and Bill Baird (the vociferous pro-abortion advocate whose name is memorialized in two decisions of the Warren Court). Ethically, the book is an opéra-bouffe. Though Joffe appeals frequently to conscience, she provides no foundation for the appeal. To allow the crucial ethical issue to remain unexamined is to abandon any scholarly aspiration—and to compose only a partisan political tract. What sets Joffe's book apart even from other abortion tracts, however, is the absence of any moral reflection. Has she never had a moment's doubt about abortion? Are her beliefs so calcified that she has never experienced the tiniest wiggle of uncertainty? The lack of even a sliver of reflection is compelling evidence of a paralyzing ideological servitude—and an appalling lack of conscience.

— Bernard N. Nathanson

Psychoanalytic Studies of Religion: A Critical and Annotated Bibliography. By Benjamin Beit-Hallahmi. *Greenwood Press. 208 pp. $69.50.*

This scholarly, comprehensive (and very expensive) collection of over six hundred references gives brief synopses of all the best psychoanalytic studies of religious experience, with a careful account of the essential contribution of each article to the field of psychoanalysis. Historically, the psychoanalytic contribution to religion has not been particularly helpful—concentrating mostly on either the explication of symbols, mythologies, and rites or the sociocultural phenomena of anti-Semitism, cultism, and ritualistic conformity. Even when it has dealt directly with religion, psychoanalysis has tended toward the reductionistic, with, for example, mystical states (Freud's "oceanic feeling") reduced to regressive fantasy. Following in this psychoanalytic tradition, the referenced works typically ascribe religious experience to unconscious drives for order, control, and psychic equilibrium, or to ego functioning, cultural determinism, the search for the good father, and of course, displaced sexual urges. The reader seeking insight into the nature of religion will be disappointed here. But the failure is not in the book, but in the nature of psychoanalytic inquiry—a limited system of thought for investigating the phenomenon of religion.

— Joseph Nicolosi

The Rise of the Imperial Self: America's Culture Wars in Augustinian Perspective. By Ronald William Dworkin. *Rowman & Littlefield. 245 pp. $59.50 cloth, $23.95 paper.*

"If there is a specific moment in the history of the Old World that the American present brings to mind, it is the period of late antiquity in which Saint Augustine lived." So writes Ronald William Dworkin, co-director of the Calvert Institute for Policy Research, in an ambitious if somewhat uneven book that illuminates our culture wars with the parallel ones that raged in the fifth century A.D. The doctrines of the

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Manicheans, Donatists, and Pelagianists are seen by Dworkin as precursors to our own regnant ideology—which he calls "expressive individualism," and into which he crams everything from psychoanalysis to the Contract with America. Over against it all, Dworkin sees—in the person of the "Tocquevillian American"—an essentially Augustinian type whose habits of mind and body point to something beyond the self. If this sometimes seems to stretch Tocqueville beyond recognition, it nonetheless yields some startlingly original insights. Dworkin's convoluted and mostly unhelpful forays into such distant fields as the philosophy of Nietzsche and the sociology of David Riesman, Vance Packard, and Robert Bellah can make the book hard slogging, but the thesis itself is plausible and obviously the product of considerable thought and erudition.

— Bret Stephens

THE MERRY HEART: SELECTIONS 1980-1995. By ROBERTSON DAVIES. *Viking/Penguin. 400pp. $25.95.*

The novels of Robertson Davies are full of people who love to talk. This posthumous collection confirms the suspicion that that was because their author himself loved to talk—and, perhaps even more, to be asked to talk. The selections in *The Merry Heart*, drawn primarily from the addresses, toasts, and occasional talks Davies delivered in the last fifteen years of his life, are full of learning and humor. They make clear that Davies had delved deeply as a scholar into the subjects that inform his novels: from the art forgery he played with in *What's Bred In the Bone* to the medicine he used in his last novel, *The Cunning Man*. The introductions are provided by Davies' literary editor, Douglas M. Gibson, who sets them in the context of Davies' development, and—by judicious reference to the author's personal diaries—lets us know how much it mattered to Davies that these occasional pieces speak to their audiences just as well as his novels had.

— David Stewart

THE METHODISTS. By JAMES F. KIRBY, RUSSELL F. RICHEY, and KENNETH E. ROWE. *Greenwood. 424 pp. $75.*

This book is one of the products of the "United Methodism and American Culture" project that has its headquarters at Duke Divinity School. By taking up accounts, in turn, of the bishops, the conferences, the members, the major players, and the major events of "episcopal Methodism," this book manages to make five passes through the history of American Methodism. At times the story that emerges seems a story of ecclesial accommodationism—as

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when General Conferences and bishops tried, unsuccessfully, to neutralize the issue of slavery through denial, silence, and then procedural adjustment. But at other times the story seems an account of ecclesial insight—as when the theory and the practice of conference kept American Methodists connected in a society that naturally dissolves connections. This book will be of interest primarily to scholars and serious students of Methodism.

— *Paul T. Stallsworth*

Flame of Love: A Theology of the Holy Spirit. By Clark H. Pinnock. *InterVarsity. 280 pp. $24.99.*

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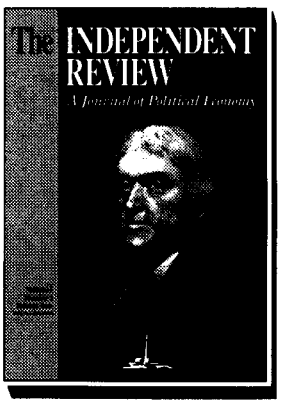

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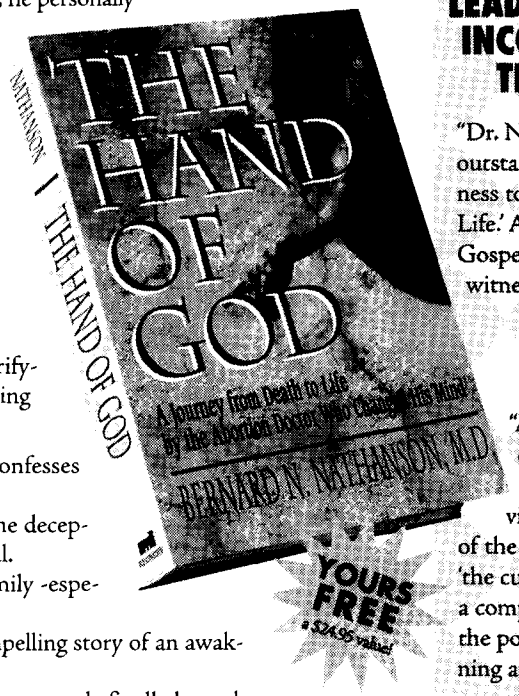
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THE PUBLIC SQUARE

A Continuing Survey of Religion and Public Life

Richard John Neuhaus

A Mirror of the National Soul

An incisive article by Hadley Arkes (with Arkes, the adjective is superfluous) engages the argument of a new book by Harvard's Harvey C. Mansfield, *Machiavelli's Virtue* (University of Chicago Press). Machiavelli's virtue, of course, has nothing to do with morality and everything to do with effectiveness in political rule. In this view, regimes are essentially the same, whether they be called democracies or monarchies, whether headed by Stalin or Cesare Borgia. As Mansfield puts it, "The ruling part is always the same and only the relation of princes to each other and of princes to the people discloses the nature of the regime." Arkes writes: "That is what Machiavelli understood about the reality of modern government: that it is the hand of the ruler, working under the fictions of the law." The additional fiction in democracies is that the people consent to the laws.

Along the way, Arkes suggests that the unhappiness of Supreme Court Justice Antonin Scalia with today's judiciary is because "in his earnestness, he is still attached to the precious notion that we have a 'government of laws,' an impersonal regime of rules, described in the Constitution." Not quite right, I think. My impression is that Justice Scalia is hardly naive; he is keenly aware that we are not now governed by the Constitution of the founders. It is simply that he thinks we should be. There are many other points worth an argument in Arkes' *New Criterion* essay, including his Straussian (Leo, that is) speculation that Mansfield has almost nothing to say about morality and religion precisely because, in good Straussian fashion, he is concealing what he knows to be most important. It may be, writes Arkes, "that in the politics shaped by Machiavelli, in the world we inhabit now, a realistic doctrine of virtue may have to be conveyed as a covert teaching. It is not something that the urbane, in our day, will proclaim openly and teach in public." Since Arkes himself does teach very openly a realistic doctrine of virtue, I take that as a criticism of Mansfield. But one never knows for sure with these Straussians.

Where I'm inclined to think that Arkes is wrong is in his suggestion that Machiavellian cynicism explains the support for Bill Clinton even by people who think he is a scoundrel. He notes that surveys indicate that a majority of Americans think Clinton lacks honesty and integrity, but also think he has honesty and integrity enough to be President. "It becomes more and more apparent," writes Arkes, "that Bill Clinton is a reflection of something in the American character, and the public reaction to Clinton offers a precise reflection, at this moment, of the national soul."

Well, yes, but mainly no. One does not need sophisticated political theory to know that not very long ago politicians were disqualified by personal moral failings, including lechery (remember Gary Hart) or even divorce (remember Nelson Rockefeller). A sympathetic press hushed up John F. Kennedy's womanizing precisely because it was assumed that, were it known, it would be politically deadly. I doubt if there has been much change in "the national soul," although what has changed may well, in time, change the national soul. What has changed is that the combination of Bill Clinton and the multiplication of media—especially tabloids and talk radio—has made it impossible to keep secret the man's egregious transgressions. What has changed is that the prestige media, so eager for his victory, and his opponents, so eager not to seem nasty, decided that the man's wretched character is a political nonissue.

Ten or thirty years ago, there were no doubt many Americans who were quite blasé about politicians' personal derelictions. Then as now, they may even have rather admired them as lovable rogues. The difference is that our intellectual leadership, the media, and the then-mainline churches did not tell the morally slovenly sector of the electorate that they were right in their indifference to character. This time they did precisely that, so desperately did they

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want Clinton to win. As FDR is reported to have said of a Latin America dictator, "He's an SOB, but he's our SOB." This does not represent a change in "the national soul" any more than the flaunting of shamelessness on television talk shows is a change in the national soul. I expect there was always an audience for shows exhibiting sons who want to sleep with their mothers or workers who steal from their employees. It is simply that, until recently, the television industry and its advertisers didn't pander to these low tastes. Now they do.

As I say, this may be working a change in the national soul, but we shouldn't blame the national soul for what is done by very specific people who should know better. "America" did not decide one afternoon that it would be a good idea to put on the newsstands a magazine with center-fold pornography. The peddlers of pornography decided that, and they were supported by judges who are real people with names. "America" did not decide it is all right for women to kill their babies at whim. Seven lawyers on the Supreme Court decided that. And on and on. I certainly do not deny that there is such a thing as public morality and it may, with care, be called the national soul, which may be changing for the worse. I do very much question whether the reelection of Bill Clinton is to be attributed to a popular embrace of Machiavelli's anti-virtue. For calculated partisan reasons, often publicly admitted, those who control the commanding heights of the political culture decided to appeal to the weaknesses rather than the strengths of the populace, and persuaded enough voters that virtue does not matter. Of course they were greatly helped by a politically skillful rogue and his worse than inept opponents.

Hadley Arkes is right that "Bill Clinton is a reflection of something in the American character." It is a something that is usually repressed and not mentioned in polite company. But I doubt that "the public reaction to Clinton offers a precise reflection, at this moment, of the national soul." The generalization is not saved even by the hedge "at this moment." I would not be at all surprised if, at this moment, a majority of Americans, including a majority of those who voted for Clinton, are more than a little embarrassed to have as a President someone whom they pray their children will not be like. The national soul, inclined to vice as to virtue, is also resilient and will, please God, get other chances to express itself. Of course, supply-side politics, like supply-side economics, requires that people perceive that something better is on offer. Meanwhile, it is premature to say that the national soul has turned Machiavellian just because 23 percent of the eligible voters, in resignation to the devil they know, and being provided with no persuasive arguments by the devil they didn't know, decided to stick with what they were stuck with.

FT

The Lonely Burden of Rule

It all depends upon your community of discourse, I suppose. I thought Jeffrey Rosen's profile of Justice Anthony Kennedy in the *New Yorker*, titled "The Agonizer," was devastating. But a friend at Harvard Law School tells me that people there thought it highly complimentary. That is very depressing. Rosen notes that Kennedy was appointed by Ronald Reagan to provide some conservative balance to the Court but, on issue after issue, he has come down solidly on the liberal side of things. In explaining to law students his 1992 decision in *Planned Parenthood v. Casey*, Kennedy was very moving. "If a member of his family ever became pregnant, Justice Kennedy said, he would do his best to persuade her to keep the child. He would offer to adopt the baby, even to rear it himself, rather than sanction what he fervently believed was the taking of innocent life. At this point, students recall, Justice Kennedy's eyes filled with tears and his voice broke. But when it came time to decide the abortion case, Kennedy said, he couldn't impose his personal views on the nation."

Justice Kennedy, as is said inside the beltway, has "grown" wondrously since his appointment. Rosen writes, "Where Justice Kennedy goes, so goes the Supreme Court: for the past three terms, in 5-4 cases, he has voted with the majority more often than any other Justice, and so has been the pivotal figure in case after case." Like Chief Justice Earl Warren, the father of the current phase of judicial activism, Kennedy demonstrates an "impatience with the niceties of legal doctrine, a penchant for expressing simple constitutional principles in ringing terms, and a lack of concern about the costs of short-circuiting political debates by means of extravagant demonstrations of judicial power." Kennedy's opinions reveal an affinity for the grand generalization magisterially articulated. Rosen writes: "Justice Kennedy's opinions sometimes call to mind a high-school civics lesson that aspires to be chiseled on a monument. And the conflict aroused by his personal conservatism, his judicial libertarianism, and his expansive vision of the role of the Court has led—in the abortion and gay-rights cases, in particular—to an anguished assertiveness that has not entirely satisfied partisans on either side."

Rosen says that Kennedy "shows little compunction about allowing unelected judges, rather than democratic legislatures, to decide controversial questions of social policy." "You know the problem," Kennedy told Rosen in an interview, "What's the appropriate stopping point, so that you don't have a national legislature with the scope of

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the Supreme Court?" According to Rosen, Kennedy has no answer to his own question. Kennedy's image of the judge seems to be that of the Platonic guardian or even the philosopher king. He is the author of the infamous "mystery passage" in the Casey decision: "At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life." Wow.

The People Out There

Rosen asked Kennedy about his discussion of the abortion decision with the law students. "Kennedy seemed a little flustered. 'I had forgotten that. We, of course, in our family and our tradition—I doubt that anybody would go that route, but that isn't the world out there. There are many people out there who *don't* have supportive families, who don't have *any* families. They have boyfriends, or even pimps, who're going to beat them up if they find out about it. It's that sort of world out there. Now, that doesn't mean that there aren't important moral concerns, which everybody should be aware of.'" Being translated: We of course have our standards, but as for the people out there . . .

Kennedy complains that the job of a Justice comes with the burden of lonely anguishing. "There's a quietness, there's stillness, as you recognize, no matter which case, which position prevails, that there are long-term consequences that are the result of our verdict. And we like to say that it's the force of the Constitution, as we must. But it's hard." Uneasy rests the head that wears the crown. Of course we like to say, we must say, that the decision is mandated by the Constitution, but we all know how it is in the real world.

Rosen writes: "At some point during the next four years, the President may well have the opportunity to select a new Chief Justice. Kennedy is said to be interested in the job. And if Bill Clinton should want a Chief Justice in his own image—earnest, idealistic, gregarious, fair-minded, willing to take public positions that offend his own policy preferences, and able to feel the pain of those he disappoints—he might be more comfortable with Anthony Kennedy than with one of his own nominees." He concludes his profile of Justice Kennedy with this: "'Society has to recognize that it has to confront hard decisions in neutral, rational, dispassionate debate,' Kennedy told me. 'And not just leave it to courts.' Behind the rimless spectacles, his pale-blue eyes flashed. 'That's a *weak* society that leaves it to courts.'" For a weak society that has wearied of self-government, Justice Kennedy is reluctantly, agonizingly, selflessly ready to assume the burden of judicial tyranny. As I said, at Harvard Law School they thought the profile highly complimentary, or so I am told.

FT

THE DRINAN AFFAIR, AGAIN

Shameless is the unavoidable word for Father Robert Drinan, S.J., and for those who continue to publish him as an authority on religion and public life. For years as a consistently pro-abortion Congressman, he provided cover for Catholic politicians who cravenly declared themselves "personally opposed but . . ." During the 1996 campaign, he published in the *New York Times* a ringing defense of Clinton's veto of the partial-birth abortion bill. His Jesuit superiors did some public mumbling to the effect that he did not necessarily speak for them, and Cardinal Hickey of Washington demanded a public retraction, but no retraction has appeared.

Instead, the *Tablet* publishes Drinan's celebratory article on Clinton's reelection ("America's Comeback Kid"), which is described as being of "landslide proportions." Less than 50 percent of the vote in the lowest turnout in more than seventy years is a novel definition of "landslide." In his fevered partisanship, Drinan is brazenly unrepentant: "Some pro-life Republicans wanted to make abortion a prime issue in the campaign in order to embarrass and hurt Clinton's reelection possibilities. The Catholic bishops and some of the pro-life community had worked hard to pass a so-called partial-birth bill to regulate late-term abortions." Drinan makes no secret of the pleasure he takes in the failure of the effort to ban infanticide.

He does allow that there is "a widespread feeling that [Clinton] cannot be trusted," but he attributes this to "the relentless attack of a Republican Congress on the President's character and integrity." Such attacks may increase, says Drinan, but "polls show that American voters dislike low tactics and react negatively to those who indulge in them." He concludes with the observation that "most Americans think of their nation as being on a sacred pilgrimage destined by God's providence to give light and courage to the entire world," and with the hope that Clinton, "who is a very intelligent and deeply religious man," will restore that vision.

It is a remarkable depiction of the current American circumstance. One can imagine Drinan, who had a prominent part in the impeachment proceedings against Richard Nixon, standing by a beleaguered President Clinton, taking over the role of that hapless rabbi who served as Nixon's apologist to the bitter end. As a political partisan, Robert Drinan is relentlessly faithful. As a priest and a Jesuit, he is shameless. When his defense of infanticide appeared in the *Times*, Cardinal O'Connor of New York wrote a sadly thoughtful column on how Drinan had brought shame on himself and the priesthood. O'Connor, Hickey, and other bishops have protested, as well they should, but where is the response of the Society of Jesus—

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either in the New England Province to which Drinan belongs or in Rome?

At the risk of again troubling admirably faithful Jesuits, of whom there are many, one notes that the leadership of the Society of Jesus is forfeiting the confidence of many thoughtful Catholics. For more than twenty-five years, Fr. Drinan's has been among the more egregious instances of contumacious defiance of authority and teaching, but he is by no means alone. When last year a Catholic magazine revealed the long pattern of mendacity by which Rome and American bishops were misled, to put it gently, in order to further Drinan's political career, the only evident response by the Society was to call on the carpet the young Jesuit who, in a perfectly honorable manner, supplied the magazine with the pertinent documentation. In 1992, Drinan wrote in the *Boston Globe*, "No Jesuit I ever met thought it a good idea that I was required to leave Congress after serving from 1971-1981." His order is not that far gone, or perhaps it is that he meets only like-minded Jesuits.

Jesuits who care deeply about what is happening to their community say they would like to be able to offer assurances that these and other scandals are being dealt with discreetly, out of the public eye, but they cannot. The inevitable result is the public perception of a society that cannot or will not address the disarray and demoralization of its own leadership. Jesuits at high levels have reflected that perhaps the days of the Society are coming to an end, that in the life of the Church the Jesuit charism may be neither permanent nor necessary. Perhaps that is the case, but one can only contemplate the prospect with great sadness. In the entrance of the Jesuit headquarters in Rome is a striking statue of Ignatius with the motto *Ite incendite*—"Go set the world aflame"—his parting words to Francis Xavier who was carrying the Gospel to the East. One must hope that flame is not being extinguished.

FT

In Defense of the Unlikable

One of the distressing things about defending religious freedom is that you end up defending people you might not like very much. Having never met Tony Alamo, I don't know whether I would like him or not, but I think not. His time in jail and being denied parole, however, poses an important test of the free exercise provision of the First Amendment, and also of the Religious Freedom Restoration Act (RFRA) passed by Congress in 1993.

Back in the sixties, Alamo (born Bernie Lazar Hoffman) and his wife Susan Alamo launched a Christian ministry to drug addicts, prostitutes, petty criminals, and sundry dropouts in West Hollywood, California, and pretty soon they had about a thousand people living and working in commune-type churches in California, Arkansas, Brooklyn, and several other places. Church members produced, inter alia, glitzy Alamo jackets and other custom clothing that was the rage for a while among celebrities such as Elvis Presley, Bruce Springsteen, and James Brown. In 1972, then-governor Ronald Reagan issued a commendation for the group's work against drugs and crime.

Claiming to follow the example of the early Church in Acts 2, the group held everything in common and distributed goods according to individual need. Of course, Alamo was in charge and, while everyone was equal, he was no doubt more equal than others, but nobody was coerced into joining or staying with the community. Then came the U.S. Department of Labor, in the group's first trouble with the law, claiming that "workers" had to be paid the minimum wage and that Alamo had to conform to government record-keeping requirements. That was protested all the way to the Supreme Court, which sided with the government while recognizing that the group's activities were religious in nature.

Enter CAN (the Cult Awareness Network). CAN became notorious for its role in the Waco tragedy of 1993, but for a long time before that had been involved in court cases and doubtfully legal activities against any religious or quasi-religious eccentricity it labeled a "cult." The organization has been sharply criticized by the American Psychological Association and scholars of religion, and in 1996 was forced into bankruptcy when a jury rendered a verdict of $3.5 million against CAN for violating a plaintiff's civil right to freely practice his religion. The U.S. Department of Justice used CAN, however, to go after Alamo on charges of tax evasion. The prosecution highlighted Alamo's admittedly strange religious doctrines and charges that church members practiced polygamy, convincing the jury that this is indeed one of those dangerous "cults" and its leader is guilty of using "mind control" to dominate his followers. Alamo was sentenced to six years in prison.

Parole Denied

Now sixty-two years old and ailing, Alamo is in a federal prison in Texarkana, Texas. Last March he was denied parole. The parole commissioner who reviewed the request wrote: "[Plaintiff Alamo] committed his scheme by exerting unusually strong control over very vulnerable 'religious followers' of his. He used destitute people, unwed young mothers,

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and children to bring in money in exchange for living in subject's religious compound. According to the PSI [Pre-Sentence Investigative Report] and the victims, subject had followers abused physically and psychologically. *This was a cult in the truest sense and subject's followers were used like slaves"* (emphasis in original). The final decision to deny parole stated, "Your lack of any remorse weighs heavily against you." But, of course, to express remorse would have been tantamount to denying his convictions based on what he claimed to be a literal reading of the Bible.

A number of distinguished folk have protested the treatment of Alamo, including J. Gordon Melton, director of the Institute for the Study of American Religions in Santa Barbara. The Rev. Dean Kelley, counselor on religious liberty for the National Council of Churches and a contributor to these pages, brought the case to my attention. They point out that, whatever we may think of his claims, the members of his church think that Alamo is a divinely inspired prophet and that the social and economic relations of the church are mandated by Scripture. Kelley notes that it is typical that groups reaching out to convert people in crisis in order to save them from a sinful world develop "clear boundaries and shared expectations of a dedicated community" aimed at supporting their rehabilitation. But all of this counts for little with the government that—while claiming to be assiduously "neutral" in matters religious—knows a cult when it sees one.

A U.S. District Court refused to hear Alamo's appeal because, it said, the Religious Freedom Restoration Act does not give federal courts the power to review a denial of parole. That refusal is now, in turn, being appealed to the U.S. Court of Appeals for the Sixth Circuit, with amici curiae being filed by a number of friends of religious freedom. In *Ballard* (1943) the Supreme Court declared: "The Fathers of the Constitution were not unaware of the varied and extreme views of religious sects, of the violence of disagreement among them, and of the lack of any one religious creed on which all men would agree. They fashioned a charter of government which envisaged the widest possible tolerance of conflicting views. Man's relationship to his God was made no concern of the state. He was granted the right to worship as he pleased and to answer to no man for the verity of his religious views. The religious views espoused by respondents might seem preposterous, to most people. But if those doctrines are subject to trial before a jury charged with finding their truth or falsity, then the same can be done with the religious beliefs of any sect."

It is no concern of the state unless, as in the case of Tony Alamo and too many others, the views are *really* preposterous. And unless people try to actually live according to their preposterous beliefs. Again, I hold no brief for Tony Alamo or his movement, and probably wouldn't like the man if I met him. For all I know, he may have been doing something shady such as tax evasion. That is not the point. The point is that the U.S. Government has no business declaring that the beliefs and practices of the Alamo church constitute a cult and are therefore not protected by the free-exercise provision of the First Amendment. The point is that the defense of religious freedom sometimes requires the defense of people and movements that we distinctly dislike. (For more information about the Alamo case, write his attorney, Mr. Harry Kresky, 250 West 57th Street, Suite 2015, New York, NY 10107.)

FT

Ideas Have Consequences, Again

The January 8 oral arguments before the Supreme Court on doctor-assisted suicide seemed to go very well, with a number of justices raising just the right questions. "Everything you've said, it seems to me, could go on in a legislative chamber," Justice Ruth Bader Ginsburg told a lawyer arguing in favor of a constitutional right to suicide. "This case raises the basic question of who decides," Ginsburg added. "Is this ever a proper question for courts to decide?" To the same lawyer, Justice David Souter put the question, "Why shouldn't we conclude that as an institution we are not in the position to make the judgment that you want us to make?" Justice Anthony Kennedy expressed concern that upholding the Ninth Circuit's finding of a constitutional right to suicide would "in effect declare unconstitutional" the law of almost every state in the union. Which, of course, is precisely what the Court did with abortion in *Roe v. Wade*. Some long-term observers of the Court could not believe they were hearing such unwonted expressions of judicial self-restraint.

Superstar Laurence Tribe of Harvard waxed eloquent about death with dignity, to which Justice Antonin Scalia responded, "This is lovely philosophy. Where is it in the Constitution?" Scalia, as is so often the case, may have had the best line. He asked why the right to suicide should be limited to the terminally ill, and the lawyer responded that with the terminally ill "the dying process has begun." Scalia rejoined, "I have to tell you, the dying process of all of us has begun."

A noted journalist remarked to me, "You people at First Things must be feeling very gratified." It is true that at least several Justices had read our

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symposia on judicial usurpation with care, and have been following the ensuing debate about the role of the courts in our polity. And it was encouraging to hear Speaker Newt Gingrich declare at his swearing-in that judicial usurpation would be high on the agenda of the new Congress, with Henry Hyde's Judiciary Committee holding full-scale hearings and looking at possible legislation. Congressman Hyde is, we are pleased to note, a devoted reader of the journal. But credit where credit is due. The Justices had to be impressed by some thirty-nine amici curiae briefs opposing assisted suicide. Major institutions, ranging from the American Medical Association to the U.S. Catholic Conference, submitted detailed arguments on the moral, legal, and medical folly of declaring a constitutional right to suicide. One cannot help but wonder what difference it would have made had as many comparably compelling briefs been submitted prior to the 1973 *Roe* decision that took everyone by surprise by abolishing the nation's laws protecting the unborn.

In addition, William Kristol, editor of the *Weekly Standard*, wields considerable influence in Washington, and, after the *Standard*'s initially critical reaction to our symposia, Kristol has been energetically pushing judicial usurpation as the number one challenge for the new Congress. Others are now joining in. That—plus the mangled reactions of such as *The New Republic* to the arguments in FT, and the vigorous reactions to the reactions—has made the judicial usurpation of politics a very hot topic inside the beltway.

For all the repercussions of the FT initiative, be assured we are letting none of this go to our editorial heads. Of course it is pleasing when an argument is framed in a way that gets such demonstrable results, but keep in mind that statements such as those of Ginsburg and Souter could, without too much difficulty, be squared with the devious strategy of the Clinton Administration that Russell Hittinger discusses in this issue. Then too, oral argument is no sure portent of how a decision will go. Moreover, even if the Court does restrain itself from inventing any kind of constitutional right to suicide, which we very much hope is the case, there remain numerous instances of the judicial usurpation of politics that need to be urgently addressed. The most egregious of these, of course, is *Roe v. Wade* and subsequent abortion decisions, on which the Ninth Circuit plausibly made its case for a constitutional right to assisted suicide.

Finally, while we would not underplay the influence of the discussion in these pages, we hardly invented the question of judicial overreach. It has been a staple in our political discourse for a long time. What the writers in FT did was to bring the many parts of the argument together in an accessible way, and to frame it as a single argument about the future of democracy. In addition, we ratcheted up the stakes by taking seriously, as others had not, the Court's own ponderings in *Casey* about the "legitimacy" of the law that it was making. Richard Weaver's maxim that "ideas have consequences" has become something of a cliché, and it is often difficult to trace the exact connections between ideas and consequences. But in some cases it is less difficult than others. My own view is that the taking on of the legitimacy and democracy questions by the FT writers, and the alarms that that raised, contributed very significantly to putting judicial usurpation high on the political agenda. All that having been said, however, the response to the above-mentioned journalist is: Yes, it is very gratifying indeed, but gratification is severely tempered by an awareness of how much remains to be done, and undone, with respect to the judicial usurpation of politics.

FT

While We're At It

■ I will thank you. Jim Nuechterlein will thank you. Matt Berke will thank you. Jody Bottum will thank you. Davida Goldman will thank you. Barbara Sypieo will thank you. That's a lot of thanks for sending us a list of family members, friends, and associates who should be subscribing to FT. We'll send them a sample issue in your name. And then they will thank you. Please do it soon. Like today.

■ As though the Federal courts did not have enough to do, they're going in for biblical exegesis. For instance, the Ninth Circuit's decision that discovers a constitutional right to doctor-assisted suicide has this in a footnote: "In the New Testament, the suicide of Judas Iscariot is not treated as a further sin, rather as an act of repentance." You perhaps did not know that. The same court declares that it was St. Augustine's "utilitarian concern that the 'rage for suicide' would deplete the ranks of Christians that forced Augustine to conclude that suicide was a 'detestable and damnable wickedness.'" Augustine as a utilitarian? Only the emanations and penumbra of the judicial imagination could have thought of it. In a decision that adamantly insists that religious and moral traditions have no place in the law, we also find the remarkable assertion that Thomas More in his *Utopia* "strongly supported the right of the terminally ill to commit suicide." The *Utopia*, you will recall, was a satire and in Book II More has his literary foil, "Raphael Hythlodeaus," arguing for suicide. "Hythlodaeus" is from the Greek and means "speaker of nonsense." Federal judges are not

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expected to be good on subtleties. Nothing daunted, the Ninth Circuit goes on to take it upon itself to explain the Catholic moral idea of "double effect." The relevant footnote cites no less an authority on Catholic moral theology than Dr. Timothy Quill, noted advocate of assisted suicide. The court says that double effect means "it is justifiable to cause evil in the pursuit of good." To his credit, Judge Kleinfeld, dissenting from the decision, wrote: "The majority has it exactly wrong—knowledge of a consequence does not imply nor intend a consequence." He gives as an example Eisenhower ordering troops into battle in order to liberate Europe from the Nazis, knowing that some of his troops would almost certainly be killed. It is bizarre to say that Eisenhower killed his troops. But the majority of judges went along with the ignorant rewriting of history and morality. These are the members of what Justice Antonin Scalia calls "the judicial elite" who deem the American people incapable of self-government.

■ "For some Christians the Bible is always authoritative. They are called fundamentalists. For others, however, Jesus Christ is authoritative." So the Rev. Michael Morse of the United Church of Christ writes in the *Washington Post*. He continues: "To treat the Bible literally leads to all kinds of serious distortions and cruelties. To treat Jesus seriously leads one to the inevitable conclusion that he believed in lifestyles filled with equality, mutuality, compassion, commitment, responsibility, a sense of partnership and love. There is plenty of room in those lifestyles for gay persons, even for gay marriages." Jesus was a real sweety.

■ The Vatican has given the Catholic Church in Ireland permission to lift the obligation to attend Mass on Ascension Day and Corpus Christi. These observances can now be moved to the nearest Sunday. Recent years have seen a significant decline in Catholic observance in a church dogged by controversy and scandal. Bishop James Walshe, spokesman for the bishops, said the change was made because "the atmosphere of a working day during the week is not conducive to celebrating holy days." But isn't that the point of holy days?

■ Banned in Bedford. It doesn't have quite the panache of Banned in Boston, but Rush Limbaugh will have to be satisfied with it. A release from the Rutherford Institute reports that the Montvale Elementary School of Bedford, Virginia, now bans books other than those in the school library. For the period of "recreational reading time," children had been bringing books of their choice. One day fifth-grader Jason Gardner brought Limbaugh's *The Way Things Ought To Be*. That was too much, and the teacher confiscated the book. The new policy limiting children to books in the school library makes sure that they will not be exposed to subversive literature. It's a liberal thing; you wouldn't understand.

■ In the forward to the paperback edition of *The Culture of Disbelief*, Stephen Carter writes: "It is not and has never been my contention that the public square—the place where we debate public policy—is *hostile* to religion. Many observers of our politics, Richard John Neuhaus and William Bennett prominent among them, do make that claim with some force, but my thought is different: I argue that in the public square, religion is too often *trivialized*, treated as an unimportant facet of human personality, one easily discarded, and one with which public-spirited citizens would not bother." Trivialized, treated as unimportant, easily discarded, and not to be bothered with. It sounds very much like hostility to me.

■ "I, the undersigned, do hereby give possession of my soul to the devil for eternity, for ever and ever and ever and ever and ever and ever and ever." Teenagers are invited to sign this pledge and send it to Devil Man skateboards in El Segundo, California. This is from an advertisement in *Thrasher*, a popular skateboard magazine. Or so we are informed by Pastor Russ Saltzman, who edits *Forum Letter* and plans to use the ad when his catechism class gets to the part about "no other gods."

■ If you don't know, don't ask what the late Robert Mapplethorpe's "art" was about. I couldn't tell you in the pages of a high-tone journal such as this. A big Mapplethorpe exhibit opened in London, and art critic Edward Lucie-Smith tries to make sense of the sensation surrounding it. "Confronted with his *oeuvre* in its totality, one can't help being surprised that he remains such a cult figure, since his gifts seem genuine but minor, an echo of more original talents. I think there may be several reasons for this. One is the 'rainbow coalition' aspect of the present contemporary art scene. In the United States, particularly, every grouping must be allowed a voice: African Americans, Native Americans, Chicanos, feminists, and gays. As a spokesman for homosexuals, and a victim of AIDS, Mapplethorpe is forgiven for aspects of his work, such as his depersonalization of his African American subjects, which in other hands would be condemned as politically incorrect. Second, he is the posthumous beneficiary of the censorship controversy which broke out just before his death, and which culminated in an unsuccessful prosecution for obscenity in Cincinnati in September and October 1990. Effectively, the trial whitewashed Mapplethorpe's image with the liberal establishment, and all the unsavory details revealed in Patricia Morrisroe's biography published last year have not been able to undo this—or not yet. Third,

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there is his genuine historical importance: more than any other individual, Mapplethorpe, through his ruthless ambition, was responsible for establishing photography in the public mind as the peer of other forms of expression in the fine arts. This was something which America's greatest photographer, Alfred Stieglitz, had earlier been unable to do. Fourth and last, there is the accessibility of his work. Where else, among all the things which are now supposedly avant-garde, will you find so much which is essentially clear, simple, and direct? If one also adds 'derivative,' that doesn't matter too much." Lucie-Smith got it right on almost every score, except for the comparison with Stieglitz. His photographs were taken more seriously than Mapplethorpe's, at least by serious people. And he did it at a time when the art world was not so monomaniacally devoted to the transgressive as the mark of creativity. When future archeologists rummage through the rubble of New York and London and ask about the reason for their decline and fall, one hopes for the sake of history getting it right that they come across the art of Robert Mapplethorpe, and maybe the accounts of an auction house showing the high premium the rotten rich placed upon self-destruction.

■ Charitable giving was way up again last year, with the Salvation Army, the American Red Cross, and Catholic Charities USA as the top recipients of $23.5 billion donated by Americans. There was a 25 percent increase in giving to Catholic Charities, which raised $419.4 million. This despite the fact that Catholic Charities continues to denigrate the importance of charity. Writing in *America*, Father Fred Kammer, president of Catholic Charities USA, again subordinates voluntarism to the role of charities as "partner to government at all levels." To replace the spending of government programs, he points out, would require that every local church and synagogue in America come up with two million dollars. But the whole debate about welfare today is not about finding the money to maintain existing programs but about encouraging programs that actually help people out of poverty, and inventing new ones. Catholic Charities and similar Protestant and Jewish organizations have become wedded to business as usual, which is mainly the business of receiving billions in public funds to be "partner to government at all levels." In his book, *Salted With Fire: Spirituality for the Faithjustice Journey*, Fr. Kammer calls upon us to stand in solidarity with the wretched of the earth, the *anawim* who are the object of biblical compassion, and to become "the most dangerous of fanatics, the most subversive of subversives, the most unbending of radicals." The overheated rhetoric notwithstanding, Fr. Kammer is the Chief Executive Officer of a multibillion dollar corporation that is dependent upon maintaining the status quo of a government-subsidized poverty industry. This is not to say that Catholic Charities does not do a great deal of good. It undoubtedly does. But it is also a chief apologist for a catastrophically destructive welfare system, and stands in the way of developing alternatives to help people break out of dependency and take charge of their lives. The problem is not only with the religiously based charities. At a recent Washington conference, Leslie Lenkowsky of the Hudson Institute noted that philanthropies dealing with social problems have in recent decades assumed that the chief purpose of their grants is to produce bigger government grants. Less reliance on government grants would increase the responsibilities and opportunities of the private sector. But that, says Lenkowsky, is not what the philanthropies and charities want. "So closely do they identify their efforts and goals with those of government that the prospect of having to take more responsibility is unsettling. So accustomed have they grown to government grants that they cannot envision subsisting with fewer of them. So accepting have they become of the constraints imposed on their freedom of action that they are fearful of losing them. Sadly, the greatest obstacle to a reinvigoration of communal association and problem-solving in the United States may well turn out to be the charities themselves."

■ Before she took over from her husband, Peter, as editor of *Commonweal*, Margaret (Peggy) Steinfels worked for Monsignor Philip Murnion of the National Pastoral Life Center in New York, and both were key to the development of the Catholic Common Ground Project (CCGP), for which they enlisted the support of Joseph Cardinal Bernardin, who announced it a national press conference in August 1996. In a recent interview, Steinfels said, "I'm fascinated by the idea that an effort to reduce the noise and the factionalism (in the Church) has itself become the object of the same. This was not a movement or parallel church. In some ways that's why I'm astonished at the reactions of Cardinals Hickey and Law, that it's like somehow a schism is being set in place. That was so far from anybody's thinking that I can only say I remain truly astonished at their reaction." Ms. Steinfels' astonishment does credit to her ingenuousness. When a cardinal convokes a national dialogue that proposes to come up with the resolution of problems that have disquieted the Church for several decades, it is not surprising that many bishops and others thought that maybe somebody was suggesting a replacement for episcopal leadership, and for that of Rome. Had CCGP operated as originally proposed, it almost certainly would have had the strong support of "progressive" Catholic media and of prestige voices such as the *New York Times*. An individual bishop taking a firm stand on Catholic teaching, as well as any intervention by Rome on

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some question controverted among American Catholics, would have been declared a regrettable "interference in the national dialogue." As it happens, the late Cardinal Bernardin passed the baton to Archbishop Oscar Lipscomb of Mobile, Alabama, and the advisory committee's first meeting in October decided that they were not ready to go forward with the inaugural public gathering that had been scheduled for March. There is no doubt that dialogue is needed, and bishops should be bringing people together on the basis of clear Catholic teaching, but the most "astonishing" thing about CCGP is that its initiators appeared not to recognize the presumption of their proposal or to anticipate the response of those charged with the task of teaching the faith and shepherding the faithful. CCGP may still have a contribution to make if it reforms itself as a dialogue on how best to reevangelize the Catholic people and enlist them in, for instance, advancing the vision of John Paul II to prepare the world for the Great Jubilee of the Year 2000. But, from what we have been able to gather, such a re-formation does not seem likely.

■ "The Common Good and Catholic Social Teaching" is a statement issued by the bishops conference of England and Wales as the U.K. gets ready for an election. The preface by Basil Cardinal Hume smacks a little of Catholics playing catch-up with the Church of England on the social action front, and some involved in drafting the statement are fond of the "seamless garment" gambit that has done such mischief in this country. There are complaints that the statement tilts toward Labor, and there is evidence of that at points. All in all, however, "The Common Good" is a straightforward statement of magisterial teaching, drawing in particular on the 1991 encyclical *Centesimus Annus*. The anthropology of the acting person, freedom and human rights, natural law, subsidiarity, solidarity, and the affirmation of capitalism, rightly understood—all these components of Catholic social teaching receive much clearer and more positive treatment than is found in any major document of the Catholic bishops in the U.S. The statement generously acknowledges the contributions of other traditions of Christian social teaching in Britain, as exemplified by Wesley, Elizabeth Fry, Wilberforce, Shaftesbury, Kingsley, Booth, and Temple. The bishops insist that they are not being politically partisan and, while partisans of all sorts might be inclined to dispute that, the statement does a creditable job of sticking to the principles that are well supported by Church teaching. "While none of the main political parties merits unqualified support from Catholics, none of them is excluded from that support in principle." Some may dismiss such language as bland, but it reflects a self-restraint that is not always evident in religious pronouncements on public affairs. The bishops strongly protest abortion, euthanasia, and other crimes against the dignity of human life, and raise a sharp challenge to the prevalence of "rights talk." "Not everything said to be a 'right' really is one. There is no 'right to choose' to harm another, for instance. The proliferation of alleged 'rights' can devalue the very concept. So can the amplification of rights without equivalent stress on duties, and without some concept of the common good to which all have an obligation to contribute." In sum, "The Common Good and Catholic Social Teaching," deficiencies notwithstanding, does what many such statements claim but fail to do: It informs and elevates the discourse about the right ordering of public life.

■ One of the most distinguished American historians, Edmund S. Morgan of Yale, has mixed feelings about the filming of Arthur Miller's *The Crucible*. The screenplay, also by Miller, is significantly different from the original play, and director Nicholas Hytner was hesitant about asking for the changes. Hytner felt, he says, "as if I was asking Shakespeare for amendments to *King Lear*." Among Morgan's hesitations is the way the drama conflates the trials with the preliminary hearings. "Danforth [the judge played by Paul Scofield] could not actually have signed the seventy-two death warrants that Miller has him say he has done in the play. Nor could the Reverend Hale have signed the seventeen he says he did in the film. And though Parris and other ministers did give and take testimony at the hearings, they could not have participated in giving verdicts or pronouncing sentences. The clergy never enjoyed any political authority in colonial Massachusetts, which was not the theocracy that popular legend has made it." These and other distortions, in their dramatic effectiveness, have eclipsed history, says Morgan. "Shakespeare's *Richard III* has all but erased the real Richard. Arthur Miller is not Shakespeare, and he takes fewer liberties with the past than Shakespeare did, but with this film his Salem has become irresistibly our own." Unlike, for instance, Oliver Stone's vulgar propagandizing in his *Nixon* and other films, when faced with real artistic achievement we should, with Morgan, let artistic license have loose rein. That being said, however, it is a pity that the film will reinforce a picture of Puritanism that profoundly misrepresents the American beginnings.

■ Nothing fills Christians with such a warm sense of self-satisfaction as having a clear moral issue on which to take a prophetic stand with absolutely no cost to themselves. The general synod council of the Anglican Church of Canada has boldly called upon millions of Canadians not to visit Florida this year. They should go to Cuba instead, where, it is pointed out, the weather is at least as good and the facilities

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(for tourists) just as sumptuous. All this in protest against the U.S. boycott of Cuba. Says Bishop Michael Ingham, "Many Canadian Christians, along with many Canadians, feel the U.S. assault on Cuba has been extremely damaging to ordinary Cubans who have nothing to do with political issues." Under Fidel, they better not have. We have no editorial position on U.S. policy toward Cuba, but there is something sickeningly cloying about affluent Christians telling themselves they are striking a blow for justice by luxuriating in the sun and pouring money into the coffers of a dictatorship that continues to persecute fellow Christians. But then, given the wondrous state of morality and culture in Canada, perhaps our Anglican friends could not find any other cause of the season about which to feel so very good about themselves. Of course they might stay at home and visit prisoners, clothe the naked, and help women with crisis pregnancies, but all that would impinge upon the treasured costlessness of discipleship. Anyway, as the bishop's wife would protest, "We *always* go South for the winter."

■ Anthony Lewis of the *New York Times* works himself into his practiced moral dither over the damage being done by Orthodox Jews in Israel who bother his secularist friends by raising questions about what it means that Israel is a Jewish state. Leaving aside the merits of his concern, I was taken with the title of his column, "Render Unto Caesar." One is reminded of that very nice U.S. ambassador to the United Nations under Eisenhower who urged Arabs and Jews to settle their differences "like Christian gentlemen."

■ On December 3, 1996, the day of St. Francis Xavier, Pope John Paul II surprised many with a strong public statement on the persecution of the "underground" Church in China. "The civil authorities of the People's Republic of China should rest assured: a disciple of Christ can live his faith in any political system, provided that there is respect for his right to act according to the dictates of his own conscience and his own faith. For this reason I repeat to the governing authorities, as I have said so often to others, that they should have no fear of God or of his Church," the Pope declared. But the Beijing regime fears greatly the influence of Christianity, having this past year cracked down on thousands of Catholic and Protestant communities, the latter typically gathered in "house churches." Christians who belong to the "patriotic" religious associations controlled by the regime are granted a measure of toleration, and in recent years Rome has indicated a strong desire to reconcile "underground" and "patriotic" Catholics in secure communion with Peter. Regrettably, that has led some Catholics in this country to mute their protest against religious persecution in China, and to draw back from cooperation with evangelical Protestants in contending for religious freedom. Whatever may be the behind-the-scenes strategy of Rome's diplomacy, Christians have an undeniable duty to speak up on behalf of suffering brothers and sisters. During the Cold War, organizations such as the World Council of Churches routinely claimed that they were helping persecuted Christians under the Evil Empire through "quiet diplomacy." Too often that meant belittling or even denying the persecution in order to cultivate "constructive relations" with the persecutors, thus turning such organizations, whatever their good intentions, into apologists for oppression. Religious officials in positions of real or fancied power are strongly attracted to playing in the big game of international *Realpolitik*. When fellow Christians are under attack, however, as they are in China, the place of authentic Christian witness is with the powerless. If any Catholic officials were unsure about that, the St. Francis Xavier statement of John Paul II should remove any doubt about their moral duty.

■ "There they were at the Vatican next to each other, the Pope, a little hunched over but visibly resolute and looking firmly ahead, and the dictator, standing next to him glancing sideways at the pontiff with a little air of the supplicant about him. Not quite the picture Fidel Castro wanted, but at this stage he'll take anything that even marginally helps to shore up the tattered credibility of his faltering regime. Outside Castro's quarters at the Rome Holiday Inn, a long line of visitors waited to make their call on the aging dictator, but it was Castro who had to wait several days before he could enter the Pope's private library for a thirty-five-minute conversation. Can there be any doubt that it is the Pope, not the dictator, who is dealing from a position of strength?" That is Luis E. Lugo, writing in *Capital Commentary*, a publication of the Center for Public Justice in Washington, a Protestant-based think tank. Lugo suggests that the Clinton Administration should be paying close attention to the Pope's planned visit to Cuba. "The Clinton Administration should look on these developments as a perfect opportunity to rethink and reorient our Cuban policy. Here he would be well served to borrow another page from Ronald Reagan's playbook and synchronize his actions toward the Communist regime with the independent initiatives of the Vatican and of the local church on the ground. The main idea would be this: every serious step the Castro government takes in response to the Church's mediating efforts, beginning with the matter of religious freedom, we should answer by a corresponding relaxation of U.S. economic sanctions, which Cuba chafes under and the Vatican in principle opposes. How far should we go with this quid pro quo approach? We should be willing to go as far in dismantling trade sanctions and normalizing relations with Cuba as Castro is in

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opening the way for a peaceful, democratic transition on the island. Is this all too optimistic? Perhaps. But you can bet there will be many long-suffering Cubans who will be hoping and praying that God has at least one more such mission left for this remarkable pontiff."

■ The godfather of liberation theology is generally considered to be Gustavo Gutierrez of Peru. While his work of thirty years ago launched the movement, Gutierrez has a record of distancing himself from some of the movement's more bizarre excesses. He has tried to remain within the boundaries of Catholic theology, demonstrates great respect for popular piety, and adamantly resists the Europeans and North Americans who would make Latin America over in their own image. In sharpest contrast is the North American feminist theologian Rosemary Radford Ruether, who has for many years served as a cheerleader for whatever radicalisms are playing on the fringes of the left. Ms. Ruether recently visited Peru and says she was disappointed to learn that Gutierrez was not in good standing with her womynist networks. "Gutierrez has insisted that feminism is alien to the 'Latin American reality' and is a diversion from the primary concern of liberation theology for the poor," she writes. Then this obituary: "Gutierrez deserves our tribute as founder of a movement that has reconnected theology with social justice. It is sad to see him bowing to the stranglehold of a rightist church while those who are partly his heirs move on to broader theological reflections on the realities of their society." As always, Ruether is confident that "the future clearly belongs" to her favored radicalisms of gender, ecology, and "indigenous spirituality," even if indigenous folk like Gustavo Gutierrez must be left behind. If the Latin American reality doesn't want the future she has in mind for it, all the worse for the Latin American reality. Needless to say, Ms. Ruether is a passionate opponent of cultural imperialism.

■ Although numerous polls showed that most South Africans opposed it, the parliament narrowly passed a bill favoring liberalized abortion. President Nelson Mandela did not allow a free vote but insisted that members of his African National Congress (ANC) vote the pro-abortion line. Ninety-nine members of parliament, including a Catholic priest who is Deputy Minister of Education, stayed away in order not to have to support the bill. Voting in favor was Sister Bernard Ncube, and the chief promoter of the bill was Dr. Nkosazana Zuma, a Catholic who is Minister of Health. The Catholic bishops and other Christian groups are appealing to the Constitutional Court. I don't want to be picky about this, but it does seem strange that those who triumphed over apartheid should now agree that some human beings do not have rights.

■ For a long time a little Bible study group of twenty or thirty folk had been meeting for discussion and prayer in a secluded section of Mastodon State Park in Imperial, Missouri. Nobody had noticed. Then one Sunday morning the park authorities caught them red-handed. They were informed that they were breaking the law and needed formal permission to meet on state property. Said Dennis Rudanovich, the group's leader: "We sit very much out of the way. I'm sure there are other things going on that are more mischievous. We were pretty much hurt by the whole thing." They asked for permission, but Neal Trubowitz, the park administrator, said he routinely denies requests from religious groups because of "the need to separate church and state." But of course.

■ Be glad you don't live in Murphy, North Carolina. Wal-Mart has the only real record store there, and to get the really vile and filthy stuff you have to travel 50 to 150 miles to Gainesville or Atlanta in Georgia. This is in a big front-page above-the-fold story in our parish newspaper that bemoans the censorious tyranny by which big chains are squelching freedom of speech and artistic creativity. Thirteen-year-old Adam McLean complains of the albums he buys at Wal-Mart, "They blank out all the words they think are bad. I hate it. It doesn't sound the same." For instance, a Nirvana song title has been changed from "Rape Me" to "Waif Me." Surely this violates the constitutional right to be raped, and who knows what horrors may be involved in waifing. Wal-Mart and other guilty parties also routinely remove the word "nigger" from songs, thus denying young people the benefits of elevated racial consciousness. The Blockbuster chain does the same thing with movie videos, asking producers to edit out or change particularly scatological, pornographic, or violent scenes. Sometimes this is done without the permission of the movie's director. Chuck Warn of the Directors Guild of America complains, "But the movie goes out with his or her name on it. It can be very damaging to someone's career." One can imagine how crushing this must be to the aspiring purveyor of smut. One talent scout told the *Times* "on condition of anonymity" (you can see how oppressive the climate has become) that one band he knew had omitted a song with obscenities so that its album would not have to carry a parental advisory sticker. So there you have it: now even parents want a say in what their children listen to. An industry spokesman declares that musical groups are now "in the position of singing what's on your mind or selling your records. The music industry is now hostage to a group of retailers that don't care a whit about music or the music industry." Artistic purity encounters crass commercialism! The story concludes with Nina Crowley of an industry association saying that all this is "creating a chilling effect." "Some of these kids are wondering if they are

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going to have to change what they do if they want to make any money." Our confidence in the idealism of youth is such that we are sure that they, unlike Wal-Mart and Blockbuster, will rise above such base motives as making money. This great country would not be where it is today were it not for those who are prepared to pay the price for the defense of adolescent swinishness. It is a comfort to know that we can count on the *Times* to stand by the martyrs who brave the slings and arrows of outraged decency.

■ Few aspects of this business pose more frustrations and potential conflicts of interest than book reviewing. Publishing a critical review of a book by a friend can result in having another ex-friend. Just as bad, a friend writes a fine book, you get a review that simply doesn't work, you try again without success, and now the book has been out for months and months, and it is altogether too late to be reviewing it. Thank goodness, there's always "The Public Square." Which brings me to Michael Novak's *Business as a Calling: Work and the Examined Life* (Free Press, 231 pp., $22.50). Let me quote my own blurb on the dust jacket: "Capitalists with no conscience are a problem; capitalists with a bad conscience are a bigger problem. The purpose of this splendid book is not to put a moral gloss on grubby business, but to demonstrate the moral excitement of business itself. Business leaders who accept Novak's challenge should be prepared to be changed—in how they think, how they work, how they live, and how they give. I have no doubt they will be grateful for the change on all scores." Very nicely put, if I do say so myself. For people in business who want to understand more fully the moral and spiritual significance of what they do, *Business as a Calling* is an ideal gift.

■ Looking back on the election, the Newark (N.J.) *Star-Ledger* carries a story titled, "Religious Referendums: How They Fared." A referendum is defined as religious if it was a "ballot initiative with moral dimensions or in which churches and religious groups played an activist role." By that great step toward the religionizing of everything, the paper's round-up includes parents' rights, gambling, taxes, affirmative action, and opposition to militias. One is reminded of the Supreme Court rulings in which the no-establishment provision of the First Amendment is extended to any morality or philosophy that is not entirely of human invention. In the same paper, there is a report on a school squabble in Delaware, Ohio. It seems some kids were wearing T-shirts with satanic messages and were told they shouldn't do that. They responded by demanding that the same rule be applied to kids who wore shirts with messages such as "Pray Hard" and "It's a God Thing." Caught in another of those excruciating church-state binds, principal Santha Stall-Friedman "formed a panel of thirteen students from all sides of the issue plus a couple of administrators to study the issue." Soon, no doubt, we will learn from Delaware, Ohio, whether in public education there is a permissible distinction between God and Satan.

■ Pity the scrivener who faces a deadline of two thousand words with nary an idea in his head. He might end up like poor John B. Judis in *The New Republic*, ruminating on the real meaning of the last election. How will Clinton get along with the new Congress? Judis: "If there is a precedent for 1997, it is probably 1996." There is little doubt that 1996 preceded 1997, but that does not appear to be what Mr. Judis had in mind, so to speak. He goes on: "The Republicans will probably agree to putting Medicare and Social Security in the hands of a bipartisan commission that will produce proposals that are amenable to the insurance industry, but don't obviously or immediately gouge senior citizens." Gouging comes later. Then, too, there may be surprises. "Whether the Administration will be engulfed by scandal depends on what Independent Prosecutor Kenneth Starr comes up with." Things you wouldn't know if you didn't read *The New Republic*.

■ "George Will is intimidated by the fear that somebody will declare him outside the mainstream." So I was told by a prominent leader in the pro-life movement. I don't accept that. Will has over the years written brilliantly and courageously on abortion, euthanasia, and care of the handicapped. For instance, his column on the two well-to-do young people in Delaware who killed their baby is hardly the writing of someone intimidated by the biases of journalistic colleagues. Will writes: "About the two eighteen-year-olds who are charged with having *chosen* to kill their seven-and-a-half-pound boy, putting his body in a trash bag in the motel's dumpster: Don't young people read newspapers? Don't they know that, thanks to President Clinton, they could have *chosen* to have a doctor suck their baby's brains out, and Delaware would not have *chosen* to charge them with murder?" The column concludes: "In Delaware such punishment is by lethal injection. Could Delaware *choose* to execute the two by inserting scissors into the bases of their skulls, opening the scissors, inserting suction tubes, and sucking out their brains? Of course not. The Constitution forbids *choosing* cruel and unusual punishments."

■ It was called the Employment Nondiscrimination Act (ENDA), but it might better have been called the Christian and Jewish Removal Act (CJRA). So says the formidable Hadley Arkes of Amherst. Or maybe it should be the Moral Objectors Removal Act (MORA). You will recall that last term the Senate overwhelmingly passed an act designed to head off

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federal recognition of same-sex marriages. At the same time, however, in order to demonstrate that they were untainted by homophobia, the Senators almost passed ENDA, which failed by only one vote. ENDA would have forbidden discrimination against homosexuals, bringing into play the full panoply of federal regulations that enforce affirmative action and criminalize speech or actions that might create a "hostile environment" for homosexuals. As Arkes described in his article in our November symposium on judicial usurpation, the drive behind ENDA is already prompting corporations and law firms to exclude from recruitment and hiring committees people who are known to have reservations about the moral acceptability of homosexual acts. To be sure, a bill with the CJRA or MORA title would not get very far in the Congress, and it is probable that most Senators who voted for ENDA either did not know what its effect would be or, if they did know, counted on their more conservative colleagues to risk the wrath of the gay and lesbian lobby by defeating it. Let the record show, however, that in 1996 the Senate of the United States came within one vote of creating legal penalties against the expression of a moral belief that is supported by the classical, Jewish, and Christian traditions that define Western civilization. Of course, it might be objected that such expressions would be forbidden only in contexts that are somehow pertinent to employment. You would still be permitted to mumble your beliefs to yourself in the closet, so to speak. So here we are twenty years later with the majority being forced into the closet from which a vocal minority so recently escaped. (The foregoing item may serve as a response to readers who say we are too concerned with the judiciary and ignore the mischief that legislators can do. Another response, of course, is that with the legislature you can throw the buggers out.)

■ Here we have gone I don't know how many months without mentioning the National Council of Churches (NCC). The dear old thing managed to scrape up the money to hold another General Assembly, this time in Chicago. There were two big firsts among the speakers invited: the Rev. Don Argue, president of the National Association of Evangelicals and Warith Deen Mohammed, head of Al-Islam, a black Muslim group. There was considerable uneasiness about inviting an evangelical Protestant, but, hey, that's what being ecumenical is all about.

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■ There is always a next step, and then a step after that, ad infinitum. Although one sometimes wonders whether, in our cosmic Kansas City, they haven't gone about as far as they can go. This item is not from KC but from Pasadena, where, according to this release, Episcopalians are "excited to announce" a national conference that is titled, "Beyond Inclusion: Celebrating Gay and Lesbian Commitments and Ministries Within the Episcopal Church." What is described as "the impressive line-up of conference participants" includes Dr. Marilyn McCord Adams of Yale, who embraces a "theology that uses tradition as a springboard into and beyond inclusion rather than as an orthodox imprisonment." A suggestive image, that: using tradition to get sprung from tradition. The Rev. Michael Battle of the University of the South will address the group "from the perspective of Desmond Tutu's theology," demonstrating that "heterosexual Christians NEED the full participation of homosexual unions in order to be a person in the ubuntu sense of the word." If you're uncertain about whether you are an ubuntu person, this may be just the conference for you. Prof. William Countryman of the Church Divinity School of the Pacific will present a paper showing "that it is perfectly possible to read the Bible in ways that don't condemn homosexuality," which one might think has been amply demonstrated by now. Reading the Bible accurately is quite another matter. Keynote speaker is Andrew Sullivan, former editor of *The New Republic*, rounding out what the organizers promise "will be an electrifying weekend." Sullivan will speak on "the importance of lifelong commitments for gay men and lesbians." Which raises a question about the cost of the conference, which, it says here, is reduced "for two people attending together," and reduced even further for "three people attending together." Commitment, one assumes, is liberally construed.

■ A while back we reported on some wonderfully absurd goings on under the auspices of a "Center for Progressive Christianity," but forgot to mention the material came from Douglas LeBlanc, editor of *United Voice*, the publication of Episcopalians United. For more information about that, write 8032 Cottonwood, Lenexa, KS 66215.

■ If you've been reading your Public Square faithfully, you know about the Interfaith Alliance, the "moderate" group that was started with financial help from the Democratic Congressional Campaign Committee and has as its chief mission warning America against the "extremism" of the Christian Coalition and organizations of that ilk. On the board of the Alliance are the usual suspects, including Bishop Edmond Browning of the Episcopal Church, Joan Brown Campbell of the National Council of Churches, Denise Davidoff, moderator of the Unitarian Universalist Association, and the pastor of the Clintons, Methodist J. Philip Wogaman. For some reason, we failed to mention the Alliance's executive director, Jill Hanauer. She's a long-time Democratic operative, having worked for former Senator Gary Hart and former Representative Patricia Schroeder. According to *National Journal*, she raised more than three million for the Democratic National Committee before joining the National Abortion Rights Action League as its political action director in 1990. Her moderation goes way back. As a student at the University of Colorado, she got the ACLU involved in trying to stop Bill McCartney, founder of Promise Keepers, from leading his football team in a moment of silence before games. As I say, Interfaith Alliance advertises itself as a nonpartisan effort to fight extremism.

■ My thanks for the many greetings and assurances of prayer from those who heard about the surgery a few days before Christmas. It was the gall bladder this time. Not a big deal surgically for the 97 percent of people who can have it done with a fancy new camera and clipper technique. Unfortunately, I was in the 3 percent because of all the abdominal surgery a few years ago. The good news is that there is no connection with the cancer, and that I'm recovering rapidly. Friends worry, however, about the impact on what they generously call my writing style. Four years ago the spleen came out; now I'm bereft of gall and bile. Not to worry. Those who keep close watch tell me there is no indication whatsoever of an oncoming siege of terminal niceness.

■ Survived by his young wife, Mary, and their daughter, Grace Mary, Michael Scully died, of a heart attack, at the early age of forty-seven. Mike was a gifted writer and editor, and was the founding editor of *This World*, the predecessor journal to First Things. *This World* was launched by that preeminent launcher of new journals, Irving Kristol, in 1981, and we took it over in 1986. We lost it when we broke with the Rockford Institute in May of 1989, and then effectively reconstituted it and a monthly newsletter, the *Religion and Society Report*, as the present First Things. Mike had left the journal by the time we took it over, but he continued to be a friend and sometime contributor. *Requiescat in pace.*

■ FT has been known to change minds and hearts. Remember your list of people in need of a change like that.

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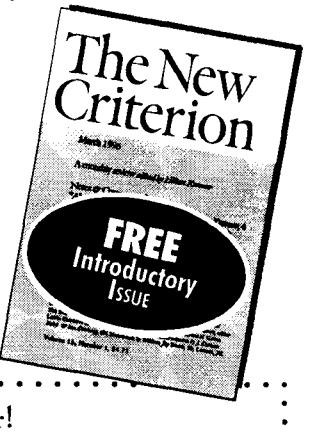

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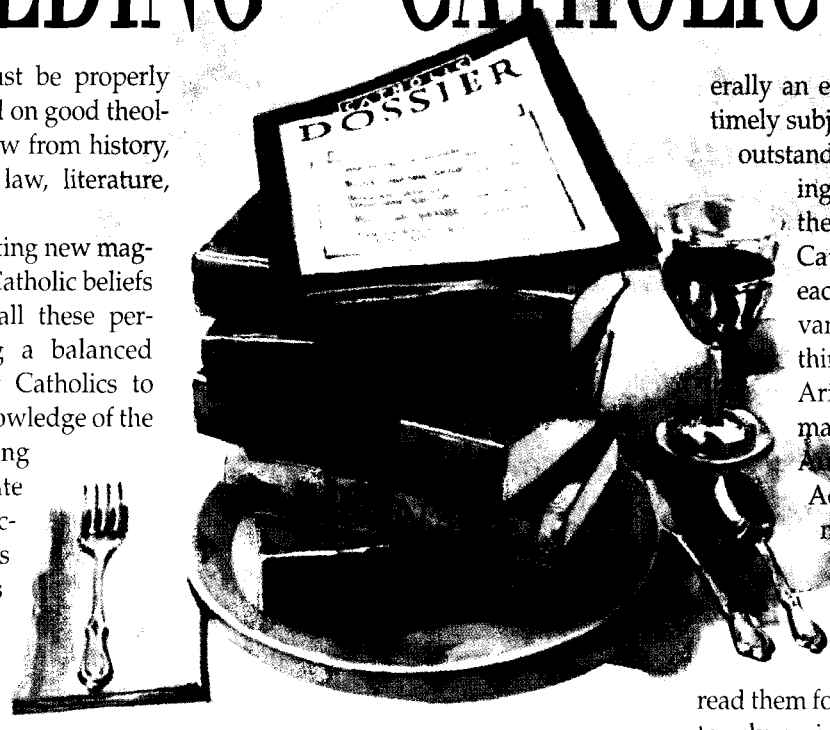

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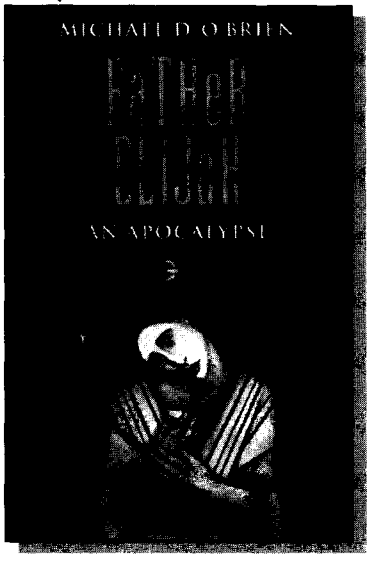

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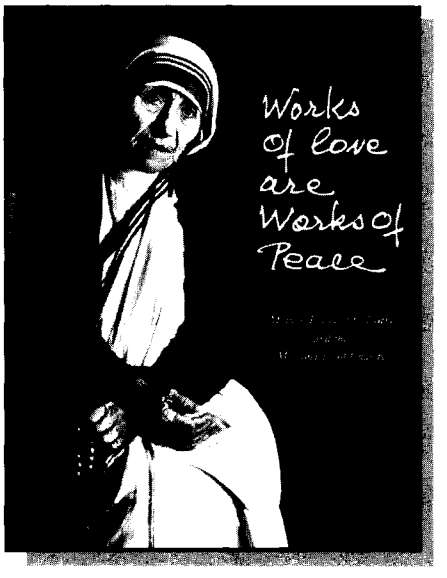

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